

Wiltshire Housing Site Allocations Plan

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# HEARING STATEMENT

## MATTER 2

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On behalf of **Barratt Homes (Bristol)**

**Maxcroft Farm, Hilperton, Trowbridge**

Respondent ID: 1132626 | P16-1335

# **WILTSHIRE HOUSING SITE ALLOCATIONS PLAN (WHSAP) EXAMINATION**

## **HEARING STATEMENT: MATTER 2**

### **MAXCROFT FARM, HILPERTON, TROWBRIDGE**

#### **ON BEHALF OF BARRATT HOMES (BRISTOL)**

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)  
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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## **CONTENTS:**

Page No:

1.	INTRODUCTION	1
2.	ISSUE 2: DOES THE WHSAP MAKE ADEQUATE PROVISION TO MEET HOUSING REQUIREMENTS AS SET OUT IN THE WCS?	2
3.	ISSUE 3: DOES THE DISTRIBUTION OF SITE ALLOCATIONS ACCORD WITH THE SPATIAL STRATEGY IN THE WCS?	6
4.	ISSUE 4: HAS THE SITE SELECTION PROCESS FOR HOUSING ALLOCATIONS BEEN SOUNDLY BASED?	10
5.	CONCLUSIONS	13

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## **1. INTRODUCTION**

- 1.1 This Hearing Statement is submitted on behalf of Barratt Homes (Bristol) Ltd. in response to the Inspector's Matters, Issues and Questions issued on 8<sup>th</sup> February 2019 in advance of the forthcoming hearing sessions for the Wiltshire Housing Site Allocations Plan (WHSAP) examination.
- 1.2 Barratt Homes has land interests in the Trowbridge area and has submitted representations at previous stages of the WHSAP's preparation in support of allocating land in this location. This Hearing Statement relates to land at Maxcroft Farm in Hilperton, which forms part of the wider Trowbridge Urban Area within the North and West Wiltshire Housing Market Area.
- 1.3 The Council submitted the draft Wiltshire Housing Site Allocations Plan (WHSAP) to the Secretary of State for independent examination in July 2018. This Hearing Statement follows representations submitted in November 2018 in response to the 'Schedule of Proposed Changes' consultation on the Publication-version plan, and those previously submitted in September 2017 in response to the pre-submission 'Regulation 19' WHSAP.
- 1.4 This Statement deals specifically with **Matter 2: Consistency with the Wiltshire Core Strategy (WCS)**. A separate statement has been prepared in response to Matter 3.

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**2. ISSUE 2: DOES THE WHSAP MAKE ADEQUATE PROVISION TO MEET HOUSING REQUIREMENTS AS SET OUT IN THE WCS?**

2.1 We remain certain that the WHSAP does not allocate sufficient sites to deliver the housing requirement identified in the WCS.

2.2 Core Policy 2: Delivery Strategy sets out the delivery strategy across Wiltshire and allocates a minimum figure of 42,000 homes to be delivered across the plan period, of which 24,470 are to be delivered within the North and West Wiltshire HMA.

2.3 However, the WCS Inspector identified the true figure to be 44,000 homes (para. 78 of the Inspector's report), which the Council now accepts it can achieve (Table 4.7 of Annex A to WHSAP indicates that the Council consider that it will deliver 44,648 homes, plus an additional 950 homes at the West of Swindon).

2.4 The constraint which was found sound by the WCS Inspector is no longer justifiable and therefore the minimum housing requirement should in fact be 44,000 to accord with paragraphs 14 and 47 of the former NPPF under which this plan is being examined.

**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?**

**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?**

2.5 The WHSAP should accord with the WCS at the county, HMA and Community Area scales.

2.6 The Council's Housing Land Supply Addendum May 2018 (Topic Paper 3 for the WHSAP) confirms for Wiltshire:

- Completions from 2006-2017 as 22,659 dwellings;
- Developable Commitments 2017-2026 as 16,946 dwellings;
- Indicative Remaining Requirement to the end of the plan period as 2,396 dwellings.

2.7 Within the North and West Wiltshire Housing Market Area, the Council's Housing Land Supply Statement confirms:

- Completions from 2006-2017 as 13,025 dwellings;
- Developable Commitments 2017-2016 as 10,606 dwellings; and
- Indicative Remaining Requirement to the end of the plan period as 1,109 dwellings.

2.8 The 1,390 dwellings allocated through the WHSAP for North and West Wiltshire are therefore – based on the Council's methodology - sufficient to meet the remaining requirement.

2.9 However, we contend that this does not paint a true picture; in actual fact there will be a significant shortfall within the North and West Wiltshire Housing Market Area (and Wiltshire as a whole), for the following reasons:

- The application of an out-of-date minimum housing target (as outlined above); and
- The lack of deliverability of the Developable Commitments alleged by the Council.

2.10 The Trowbridge Community Area supply is dealt with in Section 3.

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

**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?**

Deliverability of Sites

2.11 Strategically important sites are identified in Core Policy 2 and within the North and West Wiltshire HMA and include 2,600 dwellings at Ashton Park and 1,650 dwellings in Chippenham (Rowden Park and Rawlings Green) which have come forward through the Chippenham Site Allocations Plan.

- 2.12 The recurring key issue for the large settlements has been reliance on large sites and significant urban extensions which have failed to deliver homes in the short term and with little under 8 years left in the plan period, it is clear that many of these sites will run over into the next period.
- 2.13 We cite the example of Ashton Park in our November 2018 representations pp.7 - 8). Due to a delay in the signing of the S.106 Agreement, outline planning permission is yet to be granted, yet the Council anticipates it will deliver 1,350 dwellings by 2026, based on a delivery rate of 250 dwellings per annum beginning within the 2020/2021 period. This start date is highly improbable, and we strongly assert that **at least** a year's delay is likely, resulting in a reduction of 250 dwellings.
- 2.14 Similarly, the Council relies upon the site at Rawlings Green, Chippenham delivering from mid-2020. This site remains subject to an undetermined outline planning application and so there is again simply no prospect of the Council's trajectory being achieved. A delay of only one year would reduce the plan period capacity by 100 dwellings.
- 2.15 The site at West of Warminster is subject to an undetermined outline planning application and yet the Council consider that this will deliver in 2019/20 (within a year). A delay of only one year would reduce the plan period supply by 100 dwellings.
- 2.16 Furthermore, the Council has conceded a number of sites in their evidence to the recent appeal at Land at Purton Road, Swindon which reduces the plan period supply in North and West Wiltshire by a further 102 dwellings.
- 2.17 Outside of the North and West Wiltshire HMA, it has also been concluded in a recent appeal at Alderbury, that the sites at Fugglestone Red, Salisbury and Kings Gate, Amesbury have already suffered delays and as a result the plan period supply will be reduced by 472 dwellings.
- 2.18 The Council's overly optimistic view of delivery trajectories for strategic sites as well as the failure to take account of new evidence means that the Council's plan period supply is greatly over-exaggerated. However, even if the Council's trajectory was relied upon there would still be a plan period shortfall. The under provision of allocations that are deliverable over the remaining years of the plan period means that this shortfall will not be addressed even if every site delivers according to the

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trajectories assumed by the Council. Once realistic trajectories are applied this shortfall will be even more pronounced.

- 2.19 Given these historic slips in delivery, the deliverability of allocated sites is an even more pertinent factor when considering their suitability. This is reinforced further by the limited timeframe in which said sites will need to come forward (by 2026). We set out our reservations with regard to the Council's proposed site allocations within the WHSAP, both within this hearing statement and in our response to Matter 3.
- 2.20 Barratt Homes has an excellent deliverability record within Wiltshire and has a wealth of resources at its disposal to overcome any potential issues quickly to ensure any slips in delivery trajectories are minimal.
- 2.21 In the context of meeting Trowbridge's housing need, one could be confident that Barratt Homes' interest at Maxcroft Farm would be capable of delivering around 188 dwellings within the remaining plan period.



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**3. 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?**

3.1 The WHSAP site allocations within the Trowbridge area fail to accord with the spatial strategy in the WCS because they are fundamentally insufficient to meet the remaining requirement.

Trowbridge Community Area

3.2 Trowbridge sits within the North and West Housing Market Area, where Core Policy 2 sets a housing requirement of 24,740 dwellings. Core Policy 29: Spatial Strategy sets out the proposed development strategy for the Trowbridge Community Area and provides that approximately 6,975 (from Table 5.17) or 7,000 (from Core Policy 29) should be provided within this area, of which 165 dwellings are to be delivered within the 'Trowbridge Remainder' area and the rest are to be delivered in 'Trowbridge Town'. Core Policy 2 confirms the Housing Market Area requirements are minima, and therefore should be met or exceeded.

3.3 The WHSAP allocates six sites within the Trowbridge Community Area to deliver a total of 1,050 dwellings.

3.4 It can be calculated that the Council do not consider that all of these emerging allocations will be delivered within the plan period. Table 4.10 of the WHSAP (as modified) identifies that 2,494 dwellings will be built on developable commitments within the plan period and Table 4.2 of Topic Paper 3, July 2018 (TOP03C) identifies that 1,561 of these are on existing commitments. This leaves a residual of 933 dwellings which the Council anticipate will be delivered within the plan period.

3.5 The WHSAP Community Area Topic Paper – Trowbridge (updated September 2018) confirms the current housing delivery position versus the WCS requirement as of 2016/2017 (taken from the 2017 Housing Land Supply Statement) as follows:

Area	Indicative requirement 2006-2006	Completions 2006-2017	Developable commitments 2017-2026	Indicative residual requirement
Trowbridge Town	6,810	3,019	1,561	2,230
Trowbridge CA Remainder	165	256	32	0
Trowbridge CA	6,975	3,275	1,593	2,230

- 3.6 The 933 dwellings which are anticipated to be delivered on the proposed allocations will therefore fail to meet the indicative residual requirement of 2,230 with a shortfall of 1,297 dwellings. As set out above, the real shortfall is considered to be significantly greater, given serious concerns raised about the deliverability commitments such as Ashton Park highlighted above. The ability of windfalls or Neighbourhood Plans to make up any shortfall in these commitments is completely unverified. Although there are five Neighbourhood Plan Areas designated within the Trowbridge Community Area, Table 2.4 of the Topic Paper confirms that no Neighbourhood Plans have yet been made and that the quantum of housing to be allocated (if any) through these plans is wholly unknown.
- 3.7 Given Trowbridge is a key strategic settlement and the primary focus of development within the WCS, it is implausible that the WHSAP can be found to be positively prepared without addressing this under delivery at Trowbridge now.
- 3.8 The plan simply continues to postpone the delivery of housing within Trowbridge Town until after the plan period which is an unacceptable approach (as confirmed at para. 4.53 of the submission version WHSAP). Although the WHSAP states that 1,000 homes to be delivered post 2026 at Ashton Park will make up for most of the shortfall, the Council's belief that it is acceptable simply to defer its requirement is cavalier and patently contrary to para. 35 of the NPPF (paragraph 47 of NPPF 2012).

3.9 The Council must, therefore, look to allocate additional sites to meet Trowbridge's housing needs identified in the WCS over the remaining years of the plan period and these should include land at Maxcroft Farm.

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

**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 [etc.]?**

**3.4: Are the differences between overall provision identified in the WHSAP and the WCS justified? Should any shortfalls in provision within particular settlements be compensated for with development in other locations?**

Hilperton and Trowbridge

3.10 Our September 2017 representations explain, from paras. 3.21 – 3.31, how the WCS is unclear on whether or not Hilperton (and Staverton Marina) are to be afforded separate identities as part of the spatial strategy or whether their functional and physical relationship with Trowbridge as a continuous urban area within the Community Area is recognised, as we maintain it should be. This is significant because while Trowbridge Town has a significant shortfall to accommodate, the Trowbridge Community Area Remainder need is met.

3.11 Maxcroft Farm is located outside of the settlement boundary for Trowbridge and outside but immediately adjacent to the settlement boundary for Hilperton.

- Trowbridge is identified in Core Policy 1: Settlement Strategy as one of three strategic towns and a centre of growth across Wiltshire, alongside Chippenham and Salisbury. They will provide significant levels of jobs and homes to meet their economic potential in the most sustainable way to support better self-containment.
- Hilperton is identified as a Large Village within Core Policy 29 where development is limited to housing to meet identified local needs and improving employment opportunities.

3.12 It is our view that there has been no assessment in the WHSAP of Maxcroft Farm because it is perceived as relating to Hilperton and not Trowbridge. As set out in our previous representations, we consider this to be perverse given that historically

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housing in Hilperton has been considered to contribute to the Trowbridge Town requirement.<sup>1</sup>

- 3.13 It is therefore incorrect to overlook land adjoining Hilperton settlement as providing opportunities for housing to contribute to the Trowbridge Town Area.
- 3.14 Indeed, the WCS supports a flexible approach to housing delivery within Community Areas and defined settlements.<sup>2</sup>
- 3.15 Maxcroft Farm represents a logical extension to the Trowbridge/Hilperton area which is well connected with existing development. Although it is located within the Hilperton Neighbourhood Plan Area, it does not affect the Hilperton Gap (separating Hilperton village proper and Trowbridge) but instead is located away from the historic core of the village where it reads as part of the Trowbridge/Staverton/Hilperton Marsh conurbation.
- 3.16 Therefore, in order to meet the indicative housing requirement for the Trowbridge Community Area through further allocations, we suggest there is a need to reconsider additional sites including those adjacent to Hilperton, having regard to its functional and physical relationship with Trowbridge.

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<sup>1</sup> This is confirmed in footnote 56 to Core Policy 29 which provides that housing numbers for Trowbridge include those planned for the village of Hilperton.

<sup>2</sup> See paragraph 4.20 of the WCS. This commitment to flexibility is confirmed in paras. 4.30 and 4.33.

**4. 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?**

4.1 The Council's site selection process for the WHSAP is contained within Topic Paper 2 and is based on a staged approach.

4.2 We assert that the sequential process to site selection, where a site must 'pass' each test fails to properly consider potential allocations in the round and is therefore unsound. This is exacerbated by the flaws in stages 1 and 2b, which in the case of Trowbridge, result in the same inflexibility described in Section 3 above in preventing housing opportunities for the Trowbridge Community Area to be realised.

Maxcroft Farm

4.3 The credentials of land at Maxcroft Farm were presented to the Council in a Technical Delivery Document as part of the representations on the Regulation 19 version of the HSAP. This document covered:

- the sustainability of the location;
- the environmental factors affecting the location; and
- the realistic housing potential/capacity of the area in relation to the environmental effects of development.

4.4 This was also supported by detailed technical notes to address identified concerns from internal consultees at Wiltshire.

4.5 In terms of delivery, Barratt Homes is keen to stress that the delivery of this site is immediate and could be delivered from start on site (following allocation/consent) to practical completion within 24 months.

4.6 The SHELAA 2017 entry for Maxcroft Farm (ref. 3541) indeed acknowledges that the site is suitable, available, achievable and deliverable in the short term for up to approximately 188 dwellings.

- 4.7 The fact that Maxcroft Farm is clearly both technically and commercially deliverable (i.e. compliant with stages 3-6), suggests that it is deemed to fail at the first hurdles (stages 1 and 2) vis-à-vis the spatial strategy and therefore been erroneously ruled out on that basis.

#### Stage 1: Area of Search

- 4.8 We are supportive of the Area of Search stage in so far as it seeks to prioritise those Community Areas which are most in need of new housing to meet their requirement identified in the WCS. Trowbridge is one of these areas having far and away the largest shortfall of any sub-area in Wiltshire.
- 4.9 However, it makes clear that search areas will rigidly adhere to sub-areas identified within the Community Areas based on whether or not housing need has been met in that sub-area. In the context of Trowbridge where lower level settlements are closely related to Trowbridge Town, this approach has shown itself to be inflexible because it fails to capitalise on opportunities within the Trowbridge Remainder area which could contribute to the meeting the Community Area need as a whole. This is wholly inconsistent with the flexible approach described in the WCS.

#### Stage 2b: Rural Settlements

- 4.10 P.17 of the Topic Paper 2 states that:

*"SHLAA sites at some Large Villages are removed from further consideration because previous and committed development already meets those villages local needs, they are in AONB and alternatives are available or a Neighbourhood Plan for the settlement has already reached an advanced stage."*

- 4.11 It goes on to affirm (at paras. 4.11 – 4.15) that the WCS only provides for indicative requirements for new housing at each of the main settlements (i.e. Trowbridge) whereas the remainder of the Community Area including other settlements do not have individually prescribed targets. Housing at Large Villages (i.e. Hilperton) is intended to meet the needs of that settlement only and SHLAA opportunities at the Large Villages have therefore not been considered on this basis.

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

- 4.12 We disagree with the exclusion of Maxcroft Farm on this rationale. As set out above, there is a clear functional and physical relationship between Hilperton and Trowbridge whereby residents of the former could easily – and by sustainable travel modes – access schools, employment, retail and leisure opportunities in the former.
- 4.13 Indeed, Maxcroft Farm is located approximately 1.5m from the centre of Trowbridge, the same or similar distance as all (bar land south of Elizabeth Way) of the proposed allocations. Essentially, it appears to have been excluded purely because of its proximity to Hilperton whereas sites to the south of Trowbridge, where the closest villages are further separated from the town’s settlement boundary, have been included. Again, this is contrary to the flexible approach envisaged by the WCS.

## **5. CONCLUSIONS**

- 5.1 We have set out that the WHSAP is deficient, both in terms of meeting the housing need for Wiltshire overall and specifically within the North and West Wiltshire HMA and Trowbridge because it fails to identify sufficient allocations to meet the residual requirement.
- 5.2 Although using the WCS calculations there is no apparent shortfall, we have highlighted how the Council's clear overestimations of the rate of delivery of existing commitments will result in this figure being much higher.
- 5.3 This is particularly apparent within the Trowbridge Community Area where there is an overwhelming reliance on Ashton Park to deliver an unfounded quantum of housing within the plan period, exacerbated by the Council's decision to default on 1,000 dwellings of its WCS 7,000 dwelling requirement which we argue must be rectified.
- 5.4 The site selection process has excluded deliverable sites which could contribute to the alleviation of this problem because of one, an inflexible staged approach which fails to give weight to technically deliverable sites, and two, an inconsistent spatial approach which effectively rejects sites despite having good sustainability credentials.
- 5.5 For the reasons set out above, it is our belief that the plan continues to fail when assessed against the four tests of soundness, as set out at paragraph 35<sup>3</sup> of the NPPF:
- Positively prepared – the plan fails to meet the objectively assessed development and infrastructure requirements of a key strategic settlement (Trowbridge);
  - Justified – the plan has not demonstrated it is the most appropriate strategy, when considered against the reasonable alternatives, based on evidence;
  - Effective – the plan will not deliver housing in a timely manner in accordance with WCS Core Policy 2; and

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<sup>3</sup> Paragraph 182 of NPPF 2012.



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- Consistent with national policy – a key priority for national planning policy is to boost significantly the supply and delivery of housing. This plan fails to plan for housing at a key strategic settlement with little more than 8 years left in the plan period.
- 5.6 Put simply, the WHSAP should be revised to include additional allocations. The Developable Commitments identified should be reviewed to provide a more realistic assessment of the quantum of housing deliverable to 2026, to be updated in Table 4.1. Tables 4.4, 4.5 and 4.6 should then be updated to include additional allocations, each of which will require a separate new policy.
- 5.7 The WHSAP should identify additional allocations of at least 1,547 dwellings in the Trowbridge Community Area to address the 1,297-shortfall identified by the Council’s figures plus an additional 250 for the minimum anticipated under-delivery at Ashton Park.
- 5.8 Sites could be identified through a revised site selection process using land identified in the SHELAA.
- 5.9 Maxcroft Farm should be included as one of these sites as it had been demonstrated to be suitable, available, achievable and deliverable in the short term for up to approximately 188 dwellings. It is within the control of Barratt Homes (Bristol) which is committed to early delivery within the plan period.

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