

Wiltshire Council

Council

7 February 2012

Subject: Pre-Submission Draft Wiltshire Core Strategy Development Plan Document (DPD)

Cabinet Member: Councillor Fleur de Rhé Philipe- Economic Development and Strategic Planning

Executive Summary

The Wiltshire Core Strategy has been in development since early 2009, taking forward the work started by the former district councils. A Pre-Submission Draft Wiltshire Core Strategy Development Plan Document has now been prepared. It has been developed in consultation with the local community, partner organisations, and other stakeholders. The Council has reached the final stage of consultation where representations will be invited on the soundness of the document. At this stage in the process, the Council will be publishing what it considers to be a sound document and should be able to proceed to the Submission stage following the consultation.

At the Submission stage, the Core Strategy is formally submitted to the Secretary of State who will appoint an Inspector to undertake an examination in public into the soundness of the document. In examining the document, the Inspector will consider the robustness of the evidence base and representations received on the final stage of consultation. The Inspector will set out his/her findings in a report to the Authority.

Publication of the Draft Wiltshire Core Strategy for this final stage of consultation to start on or around 20 February 2012 will ensure that the Council meets the timescales set out within the Council's Local Development Scheme (LDS), and adoption of the Core Strategy can be achieved as early as possible. This will enable the saved policies of the former district Local Plans to be substantially replaced, thus ensuring up-to-date planning policies are in place for Wiltshire.

Proposals

That following recommendation by Cabinet at its meeting on 17 January 2012, Council:

- (i) approves the Draft Wiltshire Core Strategy for publication for a final six week statutory consultation period commencing on or around 20 February 2012.
- (ii) authorises the Service Director for Economy and Enterprise, in consultation with the Cabinet Member for Economic Development and Strategic Planning to make any necessary changes to the Draft Core Strategy in the interests of clarity and accuracy before it is published, and to make arrangements for consultation.

Reason for Proposals

To ensure that progress continues to be made on preparing an up-to-date development plan for Wiltshire, in line with the timetable set out in the Council's recently approved Local Development Scheme and statutory requirements.

Alistair Cunningham
Service Director for Economy and Enterprise

Wiltshire Council

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Cabinet Member: Councillor Fleur de Rhé Philipe- Economic Development and Strategic Planning

Purpose of Report

1. (i) To consider the recommendations of Cabinet from its meeting on 17 January 2012 (relevant extract of draft minutes attached as an appendix to this report);
- (i) Seek Council approval that the Pre-Submission Draft Wiltshire Core Strategy DPD be formally published for a final stage of consultation and
- (ii) Set out the arrangements for consultation and next steps.

Background

2. The Wiltshire Core Strategy Development Plan Document (DPD), when adopted, will provide up-to-date strategic planning policy for Wiltshire and ensure that Wiltshire develops in the most sustainable way. Core Strategies set out the long-term vision for an area and provide strategic policies and proposals to deliver the vision. Subsequent DPDs including the Gypsy and Traveller Site Allocation DPD will need to be in general conformity with the Core Strategy, as will Neighbourhood Plans.
3. In line with the Council's Local Development Scheme (LDS), approved at the Cabinet meeting on 15 November 2011, appropriate policies within the South Wiltshire Core Strategy (as proposed to be adopted) will be integrated into the Draft Wiltshire Core Strategy to ensure delivery of a single Core Strategy for Wiltshire. Cabinet is considering the adoption of the South Wiltshire Core Strategy as a separate agenda item to this meeting.
4. Cabinet on 24 May 2011 approved an additional stage of consultation for the Wiltshire Core Strategy. Consultation on the 'Wiltshire Core Strategy Consultation Document, June 2011 - Working towards a Core Strategy for Wiltshire' was completed on 8 August 2011. This additional consultation was considered necessary in light of the Government's clear intention to abolish Regional Spatial Strategies and Structure Plans. As a result, it would become Wiltshire Council's responsibility for establishing the right level of jobs and homes to be planned within the area. This consultation allowed for public engagement on the proposed:

- (i) Amount of employment land to deliver the number of jobs and new homes required for Wiltshire over the period 2006 to 2026;
 - (ii) Spatial Strategy for Wiltshire to deliver this growth and ensure sustainable development takes place;
 - (iii) Strategies for Community Areas (outside of South Wiltshire), including proposals for employment land and homes at the main settlements; and
 - (iv) Core policies relating to other matters, such as affordable housing and the design of new developments.
5. The Wiltshire Core Strategy Consultation Document (June 2011) has formed the basis for the development of the Pre-submission Draft Core Strategy for Wiltshire.
 6. Cabinet on 17 January 2012 resolved to recommend to Council on 7 February 2012 that the Draft Wiltshire Core Strategy be approved for publication for a final six week statutory consultation period commencing on or around 20 February 2012. The draft Minutes of the meeting accompany the Agenda to this report.

Main Considerations for the Council

7. The Pre-submission Draft Wiltshire Core Strategy DPD is the result of substantial work undertaken by the Council and former district councils and builds on the Wiltshire Core Strategy Consultation Document (June 2011). This takes into account up to date evidence and the consultation response. In addition, appropriate policies from the South Wiltshire Core Strategy (as proposed for adoption), which are based on sound and robust evidence as determined by the Inspector, have been integrated into the document. The document can be found accompanying the Agenda papers for the meeting on the Council's website at:

<http://cms.wiltshire.gov.uk/mgAi.aspx?ID=18538#mgDocuments>

The document has been updated in light of amendments approved by Cabinet on 17 January 2012, which include those changes presented at the meeting to correct drafting errors, improve clarity and/or to strengthen the document, as well as further changes arising from the discussion. The nature of these changes is clarified in the Appendix to the draft Minutes of the meeting.

8. The Consultation Statement on the Wiltshire Core Strategy Consultation Document (June 2011) has been prepared. This makes reference to earlier consultation stages in the development of the Core Strategy. This document is also available on the above mentioned link to the Council's website.

The Consultation Statement sets out how the Council consulted on the document and what the outputs of the consultation were. Part 2 of the Statement will be available online for the start of the consultation period. This includes responses by officers to all comments received, indicating how these have informed the development of the Pre-submission Draft Wiltshire Core Strategy. A brief summary of the key issues raised is provided in Sections 5

to 7 of the Consultation Statement. A detailed summary of issues raised for the community areas is provided at Appendix 11 and comments on the other core policies are summarised within the related topic paper (see paragraph 9 below). Appendix 13 summarises the main changes that have been made to the document following the consultation.

9. By endorsing the Pre-Submission Draft Core Strategy for publication (i.e. the consultation on the soundness of the draft DPD) and subsequent submission to the Secretary of State, the Council considers that the document is sound. At this stage in the process, the draft DPD is being published to allow representations to be made relating to issues of soundness.
10. The evidence base to be published alongside the draft DPD will comprise:
 - (i) Draft Sustainability Appraisal (SA) - to demonstrate that the Strategy is sustainable and suggests mitigation measures to avoid or reduce negative impacts through an appraisal of reasonable options. The SA is an iterative document that will continue to be updated to take into account any further changes to the Core Strategy that are made leading up to its adoption, which require further assessment.
 - (ii) Habitats Regulations Assessment - to demonstrate that the Strategy would not have significant effects on the integrity of internationally important wildlife sites in line with European legislation.
 - (iii) Topic Papers, including addenda, providing the detailed background and evidence underpinning the Pre-Submission Draft Wiltshire Core Strategy. These draw on studies and technical reports (for example, the Wiltshire Strategic Housing Market Assessment) as well as the consultation responses to explain how the policies and proposals within the document have been developed.
 - (iv) Consultation Statement - setting out who has been involved in the preparation of the Core Strategy, how they have been involved and a summary of the consultation response and how the issues raised have been addressed.

(i) and (ii) will be made available at the time of publication of the Pre-Submission Draft Wiltshire Core Strategy. (iii) and (iv) can be found accompanying the Agenda papers for the meeting on the website and available for inspection in the Members' Rooms, with hard copies of the Topic Papers available to Members on request. These documents have been updated following Cabinet and will undergo a final proof read prior to the consultation.

Pre-submission Draft Wiltshire Core Strategy DPD

11. The document sets out a spatial planning framework for the long-term development of Wiltshire for the period to 2026. The principles underpinning the Spatial Strategy have generally been supported through the consultation and can be found at paragraph 1.2 of the document.

12. The overall format of the document is similar to the June 2011 document, it sets out:

- Introduction (Chapter 1).
- Spatial Portrait of Wiltshire and the key challenges for Wiltshire around the themes of economic development, climate change, provision of new homes, planning for resilient communities, environmental quality and infrastructure delivery (Chapter 2).
- Spatial Vision for Wiltshire and strategic objectives to deliver the Vision and address the six challenges (Chapter 3).
- Spatial Strategy for Wiltshire, which includes three overarching policies (Chapter 4):
Core Policy 1: Settlement Strategy - classifies Wiltshire's settlements based on an understanding of their role and function to inform where sustainable development should take place.
Core Policy 2: Delivery Strategy - identifies the level of growth to be provided in Wiltshire and how Wiltshire's settlements will deliver this growth in the most sustainable way.
Core Policy 3: Infrastructure Requirements - describes how infrastructure will be provided to support future development.
- Area Strategies - sets out spatial strategies, including at least one core policy for each of Wiltshire's Community Areas. Each Area Strategy includes an overview of the characteristics of the area, issues that should be addressed in the planning for development in the area and how the area will change by 2026 (Chapter 5).
- Delivering the spatial objectives: core policies - sets out core policies that together with Core Policies 1, 2 and 3 and those within the Area Strategies underpin the delivery of the strategic objectives to manage and shape development within Wiltshire. Policies are presented under each of the six strategic objectives.

13. The main changes to the document can be summarised as follows:

- The objectives (Chapter 3) have been reduced from ten to six in number with the outcomes and of a number of objectives amalgamated to improve clarity of the Core Strategy as a whole.
- The Spatial Strategy policies have been developed (Core Policies 1 to 3) in light of latest evidence, consultation responses, the emerging National Planning Policy Framework and to improve clarity. Core Policy 1 simply states the settlement strategy and specific settlements that are within each category, with specific detail relating to the type and scale of development set out in Core Policy 2. The jobs and homes requirements are discussed in paragraphs 14 to 16 below. Core Policy 3 has been strengthened and amended for clarity.

- New policies have been included from the South Wiltshire Core Strategy. Those that are spatially distinctive and relate to the Community Areas have been integrated in full with minor changes to the wording and format to ensure consistency with the other Area Strategies. Some of the supporting text has been removed or redrafted in the interests of clarity, although the substance has not been lost. Other core policies (e.g. relating to affordable housing) have been updated where consultation has been undertaken through the Wiltshire Core Strategy Consultation Document (June 2011) and/or new evidence has indicated revisions to policy to be necessary. Policy relating to Tourism development (new Core Policy 39) and Hotels, Bed and Breakfast, Guest Houses and Conference Facilities (new Core Policy 40) have been applied to the whole of Wiltshire.
- Chapter 7 has been included that sets out the provisions for Monitoring and Review of the Core Strategy and information is included at the bottom of each core policy regarding 'target', 'monitoring and review' and 'delivery responsibility' to clarify how each policy will be monitored for its effectiveness.
- Significant changes have been made to a number of policies in light of the consultation and/or new evidence including:
 - Core Policy 34: Additional Employment Land - brings together parts of the previous rural diversification and enterprise Core Policy 25 and additional employment land Core Policy 21;
 - Core Policy 37: Military Establishments - now supports operational development of MOD sites, as well as reuse of redundant sites;
 - Core Policy 43: provision of affordable homes - updates previous Core Policy 28 to reflect viability work and simplify policy to apply 40% affordable housing on sites of five or more dwellings, with no contribution being required for smaller sites;
 - Core Policies 45: Meeting Wiltshire's housing needs and Core Policy 46: Meeting the needs of Wiltshire's vulnerable and older people replace previous Core Policy 29 (meeting housing needs) and Core Policy 30 (lifetime home standards) to place greater emphasis and clarity on meeting the needs for specialist accommodation;
 - Core Policy 47: Gypsy and Travellers - makes provision for new pitches until 2021 rather than 2016;
 - Core Policy 58: Ensuring conservation of the historic environment now includes reference to distinctive elements of Wiltshire's historic environment;
 - Core Policy 68: Water Resources (previous Core Policy 50) has been strengthened to ensure that development does not place water resources or river habitats at risk;
 - Core Policy 52: Green Infrastructure (GI) merges previous Core Policies 35 and 36 on GI;
 - Core Policy 57: Ensuring high quality design and place shaping - incorporates previous Core Policy 39 (Housing density).

- New policies have been developed as follows:
 - Core Policy 44: Rural exception sites (replaces parts of previous Core Policy 28 and includes potential for cross-subsidy with market housing);
 - Core Policy 48: Supporting rural life (replaces parts of previous Core Policy 25 rural diversification and enterprise);
 - Core Policy 53: Wilts and Berks and Thames and Severn Canal;
 - Core Policy 54: Cotswold Water Park;
 - Core Policy 55: Air Quality; and
 - Core Policy 56: Contaminated Land.

 - Within the Area Strategies:
 - All Area Strategy Core Policies include a direct link between policy and the list of issues identified in the supporting text;
 - Core Policy 10 confirms the strategic sites for Chippenham and reduces the strategic employment land to 26.5 hectares;
 - Core Policy 14 includes a strategic site for 220 new homes west of Salisbury Road, Marlborough;
 - Core Policy 16 is a new policy to safeguard a route for the Wilts and Berks Canal through Melksham (the Melksham link project);
 - Core Policy 29 reduces the strategic employment land at Trowbridge to 25 hectares;
 - Core Policy 32 includes a strategic site for 250 dwellings on land at Station Road, Westbury (revised former Local Plan allocation);
 - Royal Wootton Bassett and Cricklade Area Strategy - recognises the need to protect the rural character and separate identities of settlements in relation to Swindon.

 - The Settlement Strategy has been reviewed and a consistent methodology applied to the smaller settlements across Wiltshire including those within South Wiltshire (fulfilling the commitment to review the status of the smaller settlements through the Wiltshire Core Strategy) to determine which settlements should be classified as Large or Small Villages, and to indicate those parts of Wiltshire where development should not generally be permitted as they represent the most unsustainable locations. The Large and Small Villages are identified within the Area Strategies in Chapter 5.

 - Development Templates have been produced for each strategic site (Appendix A, Pre-Submission Draft Wiltshire Core Strategy). A number of other new Appendices have also been inserted, including one relating to the Local Plan policies that will continue to be saved following adoption of the Core Strategy. The Topic Papers clarify which saved policies are being replaced.
14. The overall level of new employment land (178 hectares) and new homes (37,000 additional dwellings) has remained broadly the same. There was a mix of views expressed through the consultation ranging from developers who considered the number of homes to be too low to some communities who considered the numbers to be too high. No new evidence has been put

forward that would justify a change to the overall housing numbers, which are still considered to be sound. The figure is considered to take account of, but is not pessimistic with regard to, the effects of the recession; it makes a step change in the delivery of housing for Wiltshire; accords with the draft National Planning Policy Framework; and so is considered realistic and justified.

15. In Core Policy 2, the housing requirement is expressed as a minimum (i.e. at least) rather than a target. This is necessary to provide flexibility to allow for Neighbourhood Plans to bring forward additional housing development in areas where it is supported and enable sustainable brownfield developments to continue to come forward within defined settlements if the housing supply has been provided for. In addition, the phasing of the housing requirement has been removed as this was challenged during the consultation. This is not considered necessary as there is the need to allow for developments to come forward and an appropriate supply of land to be maintained in a constrained housing market. However, Core Policy 2 prioritises the release of employment land and requires that at mixed use strategic sites development should be phased to ensure employment land and appropriate infrastructure is brought forward during the early stages of development.
16. Although the employment land has remained the same (i.e. it is within the narrow range stated in the previous document), the distribution has been amended in light of new up-to-date evidence provided by an updated Employment Land Review and consultation responses.

Consultation Arrangements

17. Preparations will be made to publish the Draft Wiltshire Core Strategy and supporting documents for a period of six weeks in accordance with the Council's Statement of Community Involvement and statutory requirements. The consultation will start on or around 20 February 2012 and finish before the Easter weekend, and will involve:
 - (i) Letter or email to consultees on the Spatial Planning consultation database, providing notification of the consultation.
 - (ii) Publication of an advertisement in local newspapers throughout Wiltshire and the Parish Newsletter.
 - (iii) Chairmans' announcements for Area Boards (with Officers to attend meetings at request) where meetings take place during the consultation period. Briefing notes to raise awareness of the consultation to be distributed through the Area Board networks.
 - (iv) Displays in each Community Area during the consultation period, at the libraries wherever possible.
 - (v) Documents being made available for viewing at Council offices and all libraries in Wiltshire.
 - (vi) Online publication on the Council's consultation portal.

- (vii) Workshops with rural parishes to explain the approach to identifying Large and Small Villages in the Draft Wiltshire Core Strategy.

Next Steps

- 18. Following approval by Full Council, arrangements will be made to undertake the consultation and once the consultation has closed all responses will be considered in order to determine whether any substantive changes are required. Cabinet has already endorsed the Draft Wiltshire Core Strategy for the purpose of Submission and provided there are no substantive changes to the document in response to the consultation and evidence it contains, the document will be submitted to Council for approval before it is submitted to the Secretary of State in early July in accordance with the LDS timetable. Once submitted to the Secretary of State, the process of Independent Examination by a Government appointed Planning Inspector will commence.

Environmental and Climate Change Considerations

- 19. Spatial Planning has implications for the physical, economic and social environment. A Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment has been undertaken during the preparation of the Core Strategy. The SA has been undertaken iteratively at all stages of the preparation and has informed the evolution of the Strategy. A Habitat Regulations Assessment (HRA) has also been undertaken. Both have helped shape the strategy and will ensure that negative environmental impacts are avoided and sustainable development can be delivered.
- 20. Climate change is one of the cross cutting objectives of the Draft Wiltshire Core Strategy. In particular, the Strategy seeks to deliver the most sustainable pattern of growth to promote self containment as far as possible and minimise the need to travel, particularly by the private car. The document includes specific policies to encourage the delivery of renewable energy sources and design measures to promote sustainable construction and low carbon buildings. A Strategic Flood Risk Assessment has also been undertaken as part of the process to ensure that future development is not vulnerable to flooding or increases the risk of flood elsewhere.

Equalities Impact of the Proposal

- 21. The Wiltshire Core Strategy aims to positively manage growth and development in Wiltshire. The consultation processes and community involvement has ensured that everyone has had the opportunity to inform the preparation of the Core Strategy. When the Draft Wiltshire Core Strategy is submitted to the Secretary of State for Examination Regulations require that it is accompanied by an Equalities Impact Assessment.

Risk Assessment

- 22. Until the full provisions of the Localism Act come into effect through secondary legislation, the Pre-submission Draft Wiltshire Core Strategy needs to be in general conformity with the Regional Spatial Strategy for the South West unless new up-to-date evidence indicates otherwise. The document is

considered to meet this requirement and has also been prepared in light of existing national, as well as emerging national planning policy.

23. In light of the changes to the planning system it is important that Wiltshire has in place up-to-date planning policy as soon as possible. The Government has made it clear that they expect local authorities to be “pressing ahead without delay in preparing up to date development plans which set out the opportunities for growth in their areas” (Planning and the Budget, Department for Communities and Local Government, March 2011). This message has been reinforced through the draft National Planning Policy Framework and more recent statements made by the Government.
24. The risk of not progressing the Core Strategy would expose Wiltshire to speculative proposals that it will not be well placed to defend or develop in a way that maximises benefits for local communities.

Financial Implications

25. The process of preparing the Wiltshire Core Strategy has been planned financially and the consultation costs can be met by existing budget allocations. The Examination costs will fall into the next financial year and have been addressed in budget planning.
26. Early adoption of the Wiltshire Core Strategy will provide the planning policy framework to facilitate the delivery of new housing and ensure that Wiltshire will not be disadvantaged in relation to the New Homes Bonus. The ability of the Council to become a Charging Authority for Community Infrastructure Levy and secure this form of funding into the area is dependent upon a sound Core Strategy being in place.

Legal Implications

27. In accordance with the Planning and Compulsory Purchase Act 2004, the Council has a statutory duty to prepare planning policy, which has been reinforced through the draft National Planning Policy Framework and Localism Act. The Council has a duty to engage with the public at this stage of the process, as required by Regulation 27 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). The consultation has been designed in accordance with the Council’s Statement of Community Involvement and these legal requirements.
28. Following Royal Assent of the Localism Act on 15 November 2011, certain provisions came into force with immediate effect. A key change now in place for the purpose of plan examinations is that Section 110(3) amends Section 20(5) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) by requiring the Inspector to consider (alongside legal compliance and soundness) 'whether the local authority complied with any duty imposed on the Authority by Section 33A in relation to its [the plan's] preparation'. Section 33A being the new duty to co-operate inserted into the PCPA 2004 by Section 110(1). In preparing the Pre-Submission Draft Wiltshire Core Strategy the Council has consulted with neighbouring authorities.

Options Considered

29. Further delay at this stage of the process would result in there being no up-to-date development plan for Wiltshire. This would leave a policy vacuum at a time when the Government has stated its intention to ensure that there is a presumption in favour of sustainable development in the absence of an up-to-date plan. Proceeding with the Wiltshire Core Strategy in line with the timetable within the LDS will ensure that there is a clear strategy in place for plan led growth supported by the right infrastructure, thus providing certainty for developers and local communities.

Conclusions

30. Publication of the Pre-submission Draft Wiltshire Core Strategy for a final stage of consultation for six weeks starting in February will ensure that the Council meets the recently approved timetable in the LDS and Submission to the Secretary of State could be achieved by early July 2012.
31. At this stage the Council will be publishing what it considers to be a sound document that is firmly based on evidence gathering and consultation.
32. Following the consultation, subject to there being no representations that raise fundamental issues of soundness to the Plan, Council can approve the document for Submission to the Secretary of State without the need to refer back to Cabinet to ensure that Submission can take place by early July 2012.

ALISTAIR CUNNINGHAM **Service Director for Economy and Enterprise**

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The following unpublished documents have been relied on in the preparation of this Report: None

Appendix – Relevant extract of draft Cabinet minutes dated 17 January 2012

The Pre-Submission Draft Wiltshire Core Strategy (DPD) and related appendices are enclosed separately for members of the Council. A reasonable number of copies will be made available at the meeting. Due to the volume of papers involved, a full set of supporting papers will be available in the Members' Room. All documents are available for public inspection by contacting Democratic Services on 01225 713018 and available on the Council's website on the following link:

<http://cms.wiltshire.gov.uk/mqAi.aspx?ID=18538#mgDocuments>