



Meeting	Full Council
Date	20 November 2023
Report Title	Wiltshire Local Plan Review Consultation
Author	Andy Conroy, Head of Planning

## **1.0 PURPOSE OF REPORT**

1.1 The purpose of this report is to inform and advise Councillors on how to respond to Wiltshire Council's Local Plan Review consultation. It sets out representations to the Local Plan Review agreed at the Planning, Environment and Transport (PET) Committee Meeting of 8 November 2023 and seeks agreement from Full Council to these representations.

## **2.0 INTRODUCTION AND BACKGROUND INFORMATION**

2.1 The current Local Plan is the Wiltshire Core Strategy. The Government requires every Local Plan to be reviewed at least once every five years. The Core Strategy was adopted in 2015 and is therefore being reviewed.

2.2 The Wiltshire Local Plan Review has been informed by consultations that took place between 2017 and 2021 and is a review of the current Wiltshire Core Strategy, building on existing objectives and spatial strategy to address Wiltshire's need for new homes, jobs and infrastructure over the period 2020 to 2038. It includes proposals for new allocations for housing and employment. If adopted, the Plan will form part of the development plan for Wiltshire and guide decisions on future development in Chippenham.

2.3 In March 2021, as part of the Regulation 18 Wiltshire Local Plan Consultation, the Head of Planning and Neighbourhood Plan Steering Group Members formed some initial draft responses in so far as the Draft Local Plan affected the Draft Chippenham Neighbourhood Plan. These draft responses were forwarded on to the Planning, Environment & Transport (PET) Committee for agreement, and finally on to Full Council to be agreed as the Town Council response. The Town Council's Response to this Consultation is attached for reference at **APPENDIX A** of this report.

2.4 The process outlined in Paragraph 2.3 was effective for the Regulation 18 Consultation. It was considered effective to repeat the process to reach a Town Council response as part of the current Regulation 19 Consultation.

2.5 After the Regulation 18 Consultation, Wiltshire Council reviewed and responded to the comments received (including the Town Council's) and collected further, more up to date evidence on housing and employment amongst other things. The Plan period was also extended from 2016-2036 to 2020-2038.

- 2.6 The Wiltshire Local Plan has now reached what is known as the Regulation 19 stage (publications stage) and will enter an eight week consultation period running from 27 September 2023 - 22 November 2023. Further details about the Regulation 19 Consultation can be found [here](#).
- 2.7 The Regulation 19 Consultation is the final stage before the Plan, its accompanying evidence, and all submitted representations are sent to a government Planning Inspector for independent examination.
- 2.8 The Regulation 19 Consultation has a much narrower scope for making representations when compared to the Regulation 18 Consultation. The purpose of the Examination is to consider whether the Plan complies with the relevant legal requirements and is sound. The focus for this Consultation, as summarised by Wiltshire Council, relates to making representations which are limited to the following areas:
- **Legal Compliance** - does the plan meet the legal requirements made under various statutes?
  - **Soundness** - has the plan been positively prepared, is it justified, effective, and consistent with national policy?
  - **Meets the Duty to Cooperate** - has the council engaged and worked effectively with neighbouring authorities and statutory bodies?
- 2.9 Wiltshire Council has produced a guidance note which encourages representations to be made on a representation form. This will ensure that comments are related to the matters relevant to the subsequent examination by a Planning Inspector. Separate forms are required for each representation made. They advise that those wishing to make a representation seeking a modification to the Plan should set out clearly in what way they consider the Plan or part of the Plan is legally non-compliant or unsound. The representation should be supported by evidence wherever possible. They advise it would be helpful if representations also say precisely how the Plan should be modified. The guidance note is attached in **APPENDIX B** of this report.
- 2.10 The proposed submission documents for the Regulation 19 Consultation include the draft Local Plan, the draft Sustainability Appraisal report, the draft Habitat Regulations Assessment and other supporting documents. Of local relevance is the 'Planning for Chippenham' supporting document. Representations can only be made on the draft Local Plan and the draft Sustainability Appraisal.
- 2.11 The draft Local Plan can be viewed on the Wiltshire Council consultation portal which can be found [here](#).
- 2.12 The Neighbourhood Plan Steering Group met on 24 October 2023 to discuss the implications any draft Local Plan policies might have on draft Neighbourhood Plan policies. A set of representations to the Local Plan had been drafted by the Head of Planning prior to the meeting and were ratified by Steering Group Members. Some additional representations were subsequently drafted by the Head of Planning, capturing any agreed outcomes from this meeting and separate advice from the Centre for Sustainable Energy (CSE). These representations were then agreed by the Planning, Environment & Transport Committee at their meeting of 8 November 2023, with some minor additions to existing representations and a new representation drafted to modify Policy 68 (Managing Town Centres). The representations commencing at **APPENDIX C** now forms the basis for agreement by Councillors.

- 2.13 Councillors should note that each draft representation also includes a suggested indication of whether the Town Council wishes to attend a hearing as part of the Examination process, depending on the strength of its opposition or support. It is considered that the majority of representations can be adequately dealt with by way of written representations.

### **3.0 DRAFT REPRESENTATIONS ON WILTSHIRE LOCAL PLAN**

- 3.1 The Spatial Vision for the Plan is considered to be generally sound. However, there are concerns that the Spatial Vision and/or supporting text do not place enough emphasis on the obligations of carbon emission reduction associated with the Climate Change Act and Wiltshire Council's own declared climate emergency. There is no evidence that the Local Plan as a whole has been carbon audited to confirm it aligns with the emission reduction required under the Climate Change Act and therefore it is unclear whether the Plan is legally compliant. Similarly, the Sustainability Appraisal does not include evidence of carbon auditing of Plan policies or information on carbon emissions of proposed site allocations. It is therefore considered that the evidence base for the site allocation selection process is not sound. A draft representation is made on the basis of the Spatial Vision and Sustainability Appraisal being unsound and is attached at **APPENDIX C**.
- 3.2 Policy 2 (Delivery Strategy) provides for 36,740 homes and 160ha of employment land in Wiltshire during the period 2020-2038. Housing figures have been calculated using the Government's standard method, as currently advised by the National Planning Policy Framework (NPPF).
- 3.3 This compares to a provision of between 40,840 and 45,630 homes, and 26ha of employment land, for the period 2016-2036 in the previous Regulation 18 Wiltshire Local Plan.
- 3.4 Policy 3 (Reserve Sites for Housing and Broad Locations for Growth) identifies Chippenham as one of three '*broad locations for growth, where additional urban extensions will be identified towards the end of the Plan period to meet longer-term strategic needs for housing and employment and ensure the co-ordinated delivery of major infrastructure*'. It states that these will be identified through policies within a subsequent development plan document.
- 3.5 The identification of Chippenham as a 'broad location for growth' would be in addition to its identification as a 'principal settlement' and the housing and employment growth already proposed for it through a new large site allocation. It is not considered justified, policy compliant or positively prepared to plan for additional housing development in Chippenham beyond the objectively assessed housing needs for the Plan period, which can be met by completions and commitments plus a new site allocation. Housing needs beyond the Plan period should be left to a future Wiltshire Local Plan.
- 3.6 The concept of Chippenham as a 'broad location for growth', with very little detail, could be taken advantage of by developers, undermining site allocations and resulting in speculative applications being submitted for unsustainable greenfield development in and around the town. It is therefore recommended that the section of Policy 3 and supporting text in Paragraphs 3.52-3.54 referring to 'broad locations for growth' be deleted and a draft representation is made on this basis and attached in **APPENDIX D**.

- 3.7 Policy 4 (Addressing Climate Change) is a broad overarching policy which provides a hook to other climate based policies. A draft representation in support of this policy, with some additional comments in respect of how this could be improved in relation to overheating, is attached in **APPENDIX E**.
- 3.8 Policy 5 (Securing Infrastructure Provision from New Development) sets out the circumstances where new development will require contributions towards ‘essential infrastructure’ and ‘place-shaping infrastructure’. It is recommended that the wording of Policy 5 be modified to ensure that greater emphasis is placed on the delivery of ‘place-shaping infrastructure’ in new communities, such as ‘community and cultural facilities’ without which the Policy would not be effective (in terms of soundness). A draft representation is made on this basis and attached in **APPENDIX F**.
- 3.9 Policy 6 sets out ‘place shaping priorities’ for the town. Place shaping Priority 5 is *‘Link the A4 to the A350 which will provide for a more resilient local network addressing traffic congestion within the town centre.’* The first bullet point of Policy 7 (Land South of Chippenham and East of Showell Farm) repeats this item of infrastructure for the proposed site allocation, stating *‘new road transport corridor from the A4 southwards connecting with the A350 via a new river bridge delivered in accordance with trigger point(s) determined by a transport assessment.’* The fourteenth bullet point of Policy 7 states the following infrastructure for the proposed site allocation: *‘a crossing over the River Avon allowing onward travel through Rowden Park to the Chippenham Community Hospital site.’*
- 3.10 Up to date evidence on transport modelling can be found in the supporting document ‘Wiltshire Local Plan Review Transport Evidence Base’. However, this appears to show future modelling at a Wiltshire wide level. What appears to be missing is more detailed, comparative evidence showing future traffic flows in and around Chippenham, including the town centre, with different scenarios. This should help to better understand the relationship between any site allocation (and the growth in road traffic this would generate), the link road (which may or may not generate additional traffic not related to the site allocation) and resulting traffic flows in and around Chippenham, including the town centre (which may or may not decrease as a result). At present there is not considered to be robust evidence for the assertion in Policy 6 that a link road would address traffic congestion in the town centre.
- 3.11 The evidence on the purpose and type of link road referred to in Policy 7 is also lacking.
- 3.12 Finally, the evidence for ‘a crossing’ allowing onward travel through Rowden Park to Chippenham Community Hospital is vague (and not effective) and not supported by evidence.
- 3.13 A draft representation is attached in **APPENDIX G** which recommends modifying or deleting those parts of Policies 6 and 7, and their supporting Paragraphs 4.29 and 4.32, in order to make the Plan sound.
- 3.14 Policy 6 sets out the quantum of development required in Chippenham over the Plan period. This is summarised in **Figure 1** overleaf and a comparison has been made with the requirements set out in the previous Regulation 18 Wiltshire Local Plan.

**Figure 1 - Housing and Employment Requirements for Chippenham**

	Overall Housing Required	Wiltshire Core Strategy Housing Required	Housing completions and commitments	Residual Housing Required	Neighbourhood Area Designation***	Employment land requirement (ha)
Reg. 19 WLPR	5850 (2020-2038)		3759* (2020-2022)	2090** (as at 1 April 2022)	200 (up to 2038)	42 (2020-2038)
Reg. 18 WLPR	9225 (2016-2036)	4510 (2006-2026)		5100 (as at 1 April 2019)	240 (2021-2031)	5 (2016-2036)

\*includes major permissions post 1 April 2022, up to 31 May 2023

\*\*rounded to the nearest ten dwellings

\*\*\*referred to as 'brownfield land target' in Reg. 18 WLPR

- 3.15 Councillors will see the significant reduction (41%) in residual housing required for Chippenham over the Plan period in the Regulation 19 Wiltshire Local Plan when compared with the Regulation 18 Wiltshire Local Plan.
- 3.16 Policy 6 provides a new site allocation for approximately 2525 dwellings and 15ha of employment land on land to the south of Chippenham and east of Showell Farm (Site 2). The 2525 dwellings would be greater than the 2090 residual housing required for the Plan period, yet there does not appear to be sufficient justification for this contingency and oversupply beyond the Plan period.
- 3.17 The methodology for reaching a residual housing figure for Chippenham appears somewhat flawed because it does not take into account past windfall housing development in Chippenham. Rather the windfall allowance for the county is based on small windfall sites (less than 10 dwellings) for only seven 'constrained settlements'.
- 3.18 Policy 6 also provides a Neighbourhood Area Designation of 200 homes for Chippenham. Whilst the Chippenham Neighbourhood Plan is not specifically allocating any housing sites, it does support residential development as part of mixed use schemes on the Bath Road Car Park/Bridge Centre and Emery Gate Shopping Centre.
- 3.19 Whilst acknowledging that Chippenham does have less brownfield land available for housing development compared with other similar sized towns, there are likely to be small and medium-sized sites which become available on brownfield land for housing during the Plan period and which would be able to accommodate well in excess of the 200 homes target. These brownfield sites are listed as evidence in the accompanying representation.
- 3.20 The new site allocation housing figure should be reduced accordingly to account for a) the residual housing required for the Plan period only, which should in itself be reduced to take into account a) the additional windfall homes expected in Chippenham over the Plan period and b) the increase in development that could be accommodated on brownfield sites in Chippenham over the Plan period. This would then allow for the

greenfield site allocation to be reduced in size, making for a more sustainable Plan, which gives greater priority to brownfield development. A draft representation is made on this basis and attached in **APPENDIX H**. A similar such representation is made on the same issue where it arises in relation to Policy 7, and this is attached in **APPENDIX J**.

- 3.21 Figure 4.1, which accompanies Policy 6, shows a settlement boundary for Chippenham which does not accurately reflect the new areas of housing which have now been built and occupied, principally at Hunters Moon and Birds Marsh estates. It is recommended that the settlement boundary is updated and a draft representation is made and attached in **APPENDIX I**.
- 3.22 Policy 7 (Land South of Chippenham and East of Showell Farm) sets out one site allocation for mixed use development to deal with the residual housing required during the Plan period. This comprises of approximately 2,525 dwellings, approximately 15ha employment land, a district and local centre, 12.4ha of land safeguarded for a 10 form entry secondary school, two 2ha sites for two 2 form entry primary schools incorporating two 60 place nurseries, and two 0.3ha sites to accommodate additional 80 place nurseries.
- 3.23 Policy 7 sets out a list of infrastructure and mitigation requirements which would need to be included as part of the development of the new site allocation. A concept plan has been produced to show how the site may be developed. The site is similar in extent to Sites 2 & 3 of the Regulation 18 Wiltshire Local Plan, which have now been amalgamated. Employment land has generally replaced housing on the former Site 3. Site 1 (East Chippenham) in the Regulation 18 Wiltshire Local Plan has been deleted as a site allocation.
- 3.24 The concept plan at Figure 4.2 is not justified by a robust evidence base, including any ecological/environmental/landscape visual impact assessments, considering the level of detail shown (akin to a masterplan rather than a strategic concept plan). There are concerns around the lack of participation from the local community in its design; the impact of any new housing so close to the Wilts & Berks Canal (identified as a Strategic Green Corridor in Neighbourhood Plan Policy GI3); that it has not been designed to comply with design principles in both the draft Wiltshire Design Guide and the draft Chippenham Neighbourhood Plan Design Guide; that renewable energy sites are not identified; and that it includes areas of development for the 'Next Plan Period'.
- 3.25 It is recommended that the concept plan be omitted or simplified until a separate masterplan has been brought forward, to be developed in consultation with the Town Council and the local community. The boundaries of the site allocation, as shown on the concept plan, should be adjusted to meet the objectively assessed needs for the Plan period only. A draft representation is attached in **APPENDIX K** on the basis that the concept plan is not sound because it has not been positively prepared, is not justified and is not consistent with national policy.
- 3.26 Paragraphs 4.38, 4.39, 4.41 and 4.42 provide supporting text to Policy 8 (Chippenham Town Centre). Draft representations have been made that each paragraph (which deals with a different topic) as currently worded would be unsound. Draft representations are attached at **APPENDICES L-O** on the respective issues of lack of evidence/acknowledgement for the independent sector in Chippenham town centre; lack of reference to the Neighbourhood Plan's evidence base for a mixed-use scheme at the Bath Road Car Park/Bridge Centre Site; lack of reference to the Neighbourhood

Plan's proposals for the Upper Market Place; and vagueness around phrasing for leisure activities on the riverfront.

- 3.27 Figure 4.3 and Figure E2 show the location of both 'Primary Shopping Area' and 'Town Centre' boundaries for Chippenham, which would be used in conjunction with Policy 68 (managing town centres). The PET Committee considered that the Primary Shopping Area as proposed would not support many of the independent businesses located just outside of that area. They agreed that an additional representation be made to expand the southern and northern boundaries of the Primary Shopping Area to include Upper & Lower Market Places, Timber Street, Union Road, Old Road and Upper New Road. A draft representation is attached at **APPENDIX P** on the basis that the Plan is currently not effective in delivering a thriving, vibrant and prosperous town centre and therefore unsound.
- 3.28 Policy 8 sets out three opportunity sites where proposals for redevelopment, informed by masterplans prepared by the developer, in consultation with the local community and local planning authority, will be supported: 'Bath Road Car Park and Bridge Centre', 'Emery Gate Shopping Centre' and 'Chippenham railway station and Cocklebury Road area.'
- 3.29 Policy 8 broadly aligns with town centre policies in the Neighbourhood Plan in respect of the Bath Road Car Park/Bridge Centre Site and Emery Gate Shopping Centre and a draft representation is attached at **APPENDIX Q** in support. In reference to maximising active frontage on to the River Avon Corridor and to opening up development opportunities on the Emery Gate Car Park part of the site, additional wording is recommended that this should also be sympathetic to the existing environment and recognise and seek to protect and enhance the special characteristics of Island Park.
- 3.30 There are concerns around the vagueness of the 'Chippenham railway station and Cocklebury Road area' in respect of the type of inward business investment envisaged and the extent of its geographical area. This 'opportunity site' is not considered to be formed on the basis of sound evidence and it is recommended that this aspect is deleted or modified accordingly in the attached representation referred to above.
- 3.31 The 'development management' policies in the Wiltshire Local Plan Review comprise of new or updated policies. Many of the policies are considered to be an improvement on current policies in the Wiltshire Core Strategy and dovetail nicely with respective policies in the Neighbourhood Plan.
- 3.32 Policy 70 (Sustainable Transport) is generally a worthwhile policy. However, it would be more effective (from a soundness perspective) to include objective targets for the modal share of short journeys on foot and bike and what new strategic infrastructure is needed to achieve this level of modal shift. A draft representation is attached on this basis at **APPENDIX R**.
- 3.33 Policy 71 (Transport and New Development) would not be effective because it 'supports' new development where users can access a choice of sustainable transport modes, rather than this being a requirement. Without stronger wording new development will continue to be designed with a car-first approach. In addition, Policy 71 does not make any reference to a hierarchy or preference for transport modes, in effect ensuring that each transport mode is given equal consideration.

- 3.34 Policy 71 is not justified or positively prepared by having the relevant, up to date, supporting evidence on sustainable transport, which an aligned Local Transport Plan (LTP) would be able to provide.
- 3.35 It is recommended that either in the supporting text or Policy 71 itself reference should be made to the provision of safe and inclusive active travel infrastructure which reflects national guidance in LTN 1/20 on current best practice, standards and legal requirements for cycle infrastructure.
- 3.36 A draft representation to modify Policy 71 in order to make the Plan sound, is attached at **APPENDIX S**.
- 3.37 Policy 76 (Providing Affordable Homes), Policy 81 (Community Facilities), Policy 83 (Health and Wellbeing), Policy 84 (Public Open Space and Play Facilities), Policy 85 (Sustainable Construction and Low Carbon Energy), Policy 87 (Embodied Carbon), Policy 88 (Biodiversity and Geodiversity), Policy 89 (Biodiversity Net Gain), Policy 90 (Woodland, Hedgerow and Trees), Policy 96 (Water Resources), and Policy 98 (Ensuring High Quality Design and Place Shaping) are all welcomed and supported. Draft representations are attached to this effect at **APPENDICES T, U, V, W, X, Y, Z, ‘[’, ‘\’, ‘]’ and ‘^’** respectively.
- 3.38 Paragraph 5.107, the supporting text to Policy 86 (Renewable Energy) which specifically refers to wind energy installations, and Policy 86 itself, are not considered to be supportive enough to proposals for renewable energy development and would therefore not be effective or consistent with national policy. Draft representations to modify the text in order make it sound are attached at **APPENDICES ‘\_’ and ‘`’** in this respect.

#### **4.0 CONTRIBUTION TO CORPORATE PLAN PRIORITIES**

- 4.1 Representations made to the Wiltshire Local Plan Review will contribute to the following corporate priorities:
- Play an active role in the future development of the town through collaboration with partners, stakeholders, and our community.
  - Help to create a future that is carbon neutral, environmentally sustainable and resilient to the impact of climate change.
  - Maintain and create opportunities to enhance our green spaces and provide a clean and safe environment.

#### **5.0 STAFFING IMPLICATIONS**

- 5.1 There are no staffing implications.

#### **6.0 FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications.

#### **7.0 CLIMATE AND ECOLOGICAL IMPLICATIONS**

- 7.1 The climate and ecological impacts of the Wiltshire Local Plan Review are set out in the accompanying Sustainability Assessment and other supporting documents.



## 8.0 RECOMMENDATION

- i) That Councillors agree the draft representations commencing at **APPENDIX C** of this Report to be submitted to Wiltshire Council as the Town Council's formal representations on the Wiltshire Local Plan Review Regulation 19 Consultation.
- ii) That Councillors agree to delegate to the Chief Executive the submission of the representations agreed in i) to Wiltshire Council and to ensure that the Town Council is represented at any Examination hearings, where a wish to participate at a hearing has been indicated on the respective representation form.