

4th December 2015

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Your ref: PINS/Y3940/429

Dear Patrick Whitehead

Re: Chippenham Site Allocations Plan (CSAP) - Examination in Public

Thank you for your letter of 16 November 2015 in which you set out your concerns following the suspension of the examination into the above Plan. Since this date the Council has been working hard to carefully consider the points you raise in order to identify a schedule of work going forward and to allow you to respond before going on leave.

We also confirm receipt of your letter of 30 November in which you have reiterated your concerns and note that you have provided further clarification.

However, the tenor of this latest letter, which appears to have increased the emphasis on withdrawal, is giving the Council cause for concern that you may have predetermined the outcome. We note an interim letter from the Inspector examining the soundness of the County Durham Plan was challenged on grounds including predetermination and was subsequently quashed by the High Court with the consent of the Secretary of State. We therefore seek your reassurance that you will proceed with an open mind.

As detailed in this letter, we are going to carry out a transparent and comprehensive schedule of further work addressing each of your concerns. The Council do not know the outcome at this stage but there is no reason to believe that it would lead to a fundamentally different Plan or one requiring substantial modification. Even if it did lead to significant changes, there is no legal impediment to any changes being progressed through a proper consultation and modifications procedure, if necessary, and as such we see no legal reason why the Plan cannot proceed.

The main concerns outlined in your letter of 16th November relate to the adequacy of the Site Selection Procedure and the Sustainability Appraisal, requiring the Council to revisit these two exercises, as well as matters around deliverability. At the hearings the Council agreed to a suspension in order to address these concerns and review the evidence that supports the Plan. The main concerns can be summarised as follows.

(i) Site Selection Procedure:

- the basis for and use of the ranking exercise relating to criteria within Core Policy 10 of the Wiltshire Core Strategy is not clear;
- the two stage process results in some locations not being evaluated in the same detail as others before being rejected; and
- the approach to delivering an employment led strategy.

(ii) Adequacy of Sustainability Appraisal (SA):

- the two stage sequential site selection process and its influence on the SA;
- the inclusion of detailed assessment for only three broad areas (B, C and E) rather than for all areas A to E; and
- therefore, the concern that reasonable alternatives were not given proper consideration.

(iii) Deliverability of the Plan proposals:

- the need for clarity regarding the role and character of the Eastern Link Road and to acknowledge its provision as a policy requirement;
- how the Eastern Link Road (including bridges) can be delivered and funded alongside development and other infrastructure requirements;
- the co-ordinated delivery of the Eastern Link Road; and
- how the proposals comply with the Wiltshire Core Strategy on affordable housing.

In order to address points (i) and (ii) above, the Council is proposing to re-issue a revised Site Selection Report using an enhanced methodology that is informed by Sustainability Appraisal. The enhanced methodology will provide clarity on the employment led approach drawing upon the substantial evidence that is before the examination. The selection of a preferred strategy will be based on choosing the alternative with the greatest net benefit for economic growth and settlement resilience when compared to the potential harm against Core Policy 10 criteria 2 to 6. This therefore ensures that the Plan is based on delivering significant job growth, which will help to improve the self-containment of the town as required by the Wiltshire Core Strategy and replaces the ranking of Core Policy 10 criteria. The enhanced methodology will also include a more detailed consideration of site options within all strategic areas and is described in a Schedule of Work attached as an annex to this letter (**Appendix 1**). In summary this will involve:

- A review of the existing Strategic Area Assessments (Strategic Areas A-E) in both the Sustainability Appraisal and the Site Selection Report in the interest of consistency and clarity (Steps 1 and 2 in the Schedule of Work);
- Instead of the sequential approach to site selection using the outcome of the Strategic Area Assessment, the Sustainability Appraisal and Site Selection Report will be amended to consider the reasonable strategic site options in each Strategic Area (Steps 3 to 5); and
- A new section in both the revised Site Selection Report and amended Sustainability Appraisal to consider reasonable alternative development strategies (Steps 6 to 8) before identifying a preferred development strategy and any accompanying proposed modifications to the Plan (Steps 9 and 10).

In relation to (iii) above, 'Deliverability of the Plan proposals', the development of alternative development strategies will involve each being supported by a risk assessment in relation to delivery (Step 6). This will be a basis for comparing the effectiveness of each development strategy and therefore a consideration in selecting a preferred strategy. Recognising the need for co-ordinated progress over the remainder of the Plan period, revisions to the Plan will be drafted to set out measures to monitor and minimise risks and contingencies, for example, for the timely delivery of critical infrastructure.

To provide greater detail on road infrastructure, the Council is proposing to provide a position statement responding to the issues you raise concerning the Eastern Link Road. This will draw together existing evidence on the character and purpose of a link road, provide an update in relation to options on delivery (some of which were briefly discussed during the hearings) and clarify the benefits. Whilst the Council is mindful of the need not to prejudge the outcome of the review of the Site Selection Procedure and the Sustainability Appraisal, the position statement will be completed

alongside the attached schedule of work. This will ensure that the agreed timescale can be met and information is available to support the proposed development strategy should a link road remain part of the strategy of the Plan. This will also respond to your concern regarding the need for a dedicated policy within the Plan.

In response to your comments concerning the delivery of affordable housing, concerns that were also raised during the hearings, as you are aware the Council has prepared the revised Viability Assessment Report (dated November 2015), which has been submitted to the Examination. This updates the original appraisal inputs, which as reflected in the Council's response to your 'Initial Appraisal' are pessimistic, and reflects the introduction of Community Infrastructure Levy at £85 per sq m for residential development as opposed to the £40 per sq m adopted in the earlier iteration of the report. With these updates the report indicates that there are scenarios where 40% affordable housing could be achieved on all sites. It is appreciated that the hearings did not progress as far as Matter 12 when this would have been discussed in more detail.

Further viability assessment will also be undertaken for alternative development strategies, as referred to at Step 6 in the Schedule of Work. This will help consideration of the comparative effectiveness of each and the justification for the Plan's proposals. The Transport and Accessibility evidence will be reviewed and amended as necessary to ensure that each alternative development strategy is tested.

The Council also recognise that this further work allows the opportunity to reflect on specific issues that have been raised in representations.

As part of this work, Wiltshire Council is in discussion with the Planning Advisory Service to engage their services in providing critical friend support.

The schedule of work to fulfil the commitments set out above, as you may imagine, is complex but the Council is confident that the work can be completed within the 6 month period proposed. The initial proposed timings for the work are set out in **Appendix 2**.

This includes a 6 week consultation on the revisions to the evidence base arising from this work including the revised Site Selection Report, amended Sustainability Appraisal Report and any consequential changes to the Plan, which will be set out in a schedule of proposed modifications. The consultation is proposed to commence late March 2016. At the end of the consultation it is proposed that comments received will be forward to you for consideration.

In relation to the meeting in public proposed towards the end of January, the Council understand that this will be focused on verbal updates provided by the Council to questions raised by you and that members of the public will be able to observe but not take part in the discussion.

We look forward to hearing from you and trust that this letter reinforces the Council's willingness to consider reasonable alternatives and that this satisfies your concern, enabling the examination to continue.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alistair Cunningham', with a long horizontal flourish extending to the right.

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