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Dear Mr Cunningham

Chippenham Site Allocations Plan (CSAP) – Resumed Examination in Public

My letter of 19 August referred to the Rawlings Green allocation as a key consideration for soundness.

I have noted (doc EX/20) that the Council has determined to grant outline planning permission for development of this strategic site, subject to signing a S106 Agreement within 6 months from 14.09.2016. I have also noted, from the officer's report, the reasons and justification for the Council's decision – including its consideration of the advice on prematurity given in the Government's PPG (report: para 9.16). The Council is entitled to determine applications which are before it and it is not part of my role to interfere with this procedure. However, the decision has clear implications for the resumed Examination and the conduct of the hearing stage. In particular, there are consequences for the consideration of the Rawlings Green allocation under Matter 7.

In terms of the statutory position, the Council's resolution does not grant planning permission until the S106 is signed. Nevertheless, it establishes the principle that, given the fulfilment of that requirement, permission will exist for the development. In simple terms it is no longer a case of 'if' but 'when'. In this new circumstance it is not appropriate for the Examination to use valuable time giving consideration to the principle of developing this strategic site allocation.

However, there remains a requirement that Chippenham meets the target of at least 4,510 homes to be built by 2026, and there is a residual requirement of 1,760 to be provided through the CSAP. Of this total, Rawlings Green is intended to provide up to 650 dwellings within the Plan period. For the CSAP to be found sound, this allocation must be capable of delivering the whole of the development within the Plan period. In order to achieve this objective it has to be shown that the access requirements to build beyond the first 200 dwellings can be achieved, and that the development meets viability requirements. The Examination will, therefore, focus on these concerns.

I have noted the Council's position statement submitted for Matter 7 (doc RM/7), and particularly the dispute that exists with the neighbouring land owner. Whilst I understand that the first 200 dwellings would not be delayed by the dispute, and note the Council's stated position, failure to resolve the matter could, in the longer term, impact on the deliverability of the site within the Plan period. Accordingly, it would be helpful to the Examination if the Council was able to address the issue during the hearing into Matter 7.

Yours sincerely

Patrick T Whitehead (Inspector)