

Submission Statement to Independent Examination into the South Wiltshire Core Strategy Review DPD

Submission on behalf of Mr Peter Bradshaw (Landowner – Longhedge site, Salisbury)

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The following submission sets out the position in advance of the Examination hearings.

The following summary reflects the key points made in the original written submission to the Wiltshire Council Review document and this is followed by specific responses to the questions raised by the Inspector.

Summary of position re proposed 'focussed changes' in relation to Longhedge (Old Sarum) – FOC/04

- The Submitted Draft South Wiltshire Core Strategy Document is considered to be based upon well-researched and formulated evidence, thorough analysis and professional assessment and a well-conceived strategic approach. As submitted this plan will deliver the required outcomes and meet the objectives and needs of the area.
- In relation to the Longhedge (Old Sarum) allocated site the case has already been well-made by the Council, and supported by evidence and representations, concept masterplan and support from the landowner.
- The proper planning approach for the Longhedge site dictates that it should not be considered in a piecemeal way and that the full benefits and delivery of a high quality scheme of development are dependent upon a comprehensive approach being taken to the overall site.
- There appears to be no logic to the Council's position as represented in their proposed 'focussed changes'. Having previously carried out full consultations and assessments and concluded that the 800 dwellings for the Longhedge site was acceptable and deliverable, they seem to have now arbitrarily decided that 450 is the right number without any real change in circumstance or evidence.
- In order to ensure proper delivery of the CS it is essential that sites allocated are tested and properly assessed in terms of viability and deliverability. At 800 dwellings and 8 hectares of employment land the Longhedge site 'stacks up'. With a reduction of 350 dwellings the deliverability of a well-planned and coherent development that brings with it the required level of infrastructure and community facilities has to be seriously questioned. At the very least, a partial allocation with a 'promise' of more to come will not help to ensure a well-planned and high quality development that supports a balanced community. For the sake of just 350 dwellings the comprehensive approach to delivering a sound and well-planned development should be adopted.
- The English Heritage concerns have been discussed and the original objection has been tempered during the lead up to the Examination and during the hearing session itself, through the offer of guarantees to involve EH in the detailed masterplanning process and to ensure a graded approach to housing density as the development extends further north. The northern part of the site will be

more dominated by structural landscape and tree and hedge planting with the buildings taking a subservient role in the landscape. The site is large enough to successfully accommodate this approach. This position formed the basis for the Statement of Common Ground agreed with the Council on 19 February 2010.

- Nothing in terms of the site context, physical circumstances or fundamental planning policy context has changed since the original evidence was given in support of the Longhedge (Old Sarum) site, except for a somewhat contrived reassessment of the site in the light of the seemingly arbitrary decision to reduce housing numbers. Therefore it is considered that the Submission Draft SWCS should be adhered to as a 'sound' and 'legal' DPD and the proposed changes now put forward by Wiltshire Council should be rejected.

The following points are in direct response to the questions raised by the Inspector in his Hearing Programme document of 1st July 2011 in relation to the Independent Examination into the 'Review' and proposed changes now put forward by Wiltshire Council.

Issue 1 – Conformity and Weight to be accorded to RSS

In accordance with the latest Court of Appeal judgement (in R Cala Homes (South) Ltd and the Secretary of State and Local Gov't and another 2011 EWCA Civ 639) the Draft Regional Spatial Strategy, having not yet been abolished, still has to be given weight in consideration of the soundness of the Submission Draft South Wiltshire CS and the recently submitted Proposed Changes by Wiltshire Council.

The Core Strategy, as originally presented to the Inspector through the Council's 'Submission Draft SWCS, is in accord and consistent with the Draft RSS. The proposed changes now put forward by the Council are at odds with the Draft RSS.

The Cala judgement (EWCA Civ 639) stipulates that as long as the RSSs continue to exist, any LDD must be in general conformity with the relevant RSS. It might be argued that the current published Regional Strategy for the South West is Regional Planning Guidance Note (RPG) 10 (2001) is the document to be given consideration. However, the most relevant document is the final Draft RSS which has been through consultation and was well advanced and the evidence upon which it is based is far more up to date than that within RPG 10. It should be concluded therefore that the Cala judgement in this instance refers most logically to the Draft RSS for the South West and that the issue of conformity needs to be addressed in relation to that document.

In the same way that the Council sought to demonstrate conformity to the Draft RSS in their Submission Draft CS, according to the Cala judgement, they should continue to seek that same conformity unless there is clear and unequivocal evidence to show that the Draft RSS is now out of date and no longer relevant.

The bottom line is that the evidence underpinning the Draft RSS is a material consideration to the preparation and examination of Core Strategies. The weight to be afforded to this evidence is a matter for the Inspector to decide upon.