

**WILTSHIRE COUNCIL  
LOCAL DEVELOPMENT FRAMEWORK  
SOUTH WILTSHIRE CORE STRATEGY  
EXAMINATION IN PUBLIC  
MATTER 13: OTHER POLICIES**

**ON BEHALF OF  
PERSIMMON HOMES AND  
THE WILTON ESTATE**

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### **Q13.1 Development Management Policies**

*The CS contains a number of development management policies. These include Core Policy 8 Salisbury Skyline; Core Policy 22 Protection of Services; Core Policy 24 Hotels; and, Core Policy 25 Air Quality. Are these policies essential to the delivery of the Core Strategy?*

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13.3.1 Persimmon and Wilton generally support the South Wiltshire Core Strategy and note its overall soundness. However, further minor changes to the CS are sought to improve its effectiveness, consistency with national policy and for clarification/updating purposes.

13.3.2 It should be noted that Persimmon Homes and the Wilton Estate did not submit objections or representations to Core Policies 8, 22, 24 & 25 during the consultation period on the Core Strategy Proposed Submission document. Therefore, Persimmon and Wilton do not have any strong views as to whether these policies are essential to the delivery of the Core Strategy.

13.3.3 Provided the policies are considered consistent with national and regional guidance, as indicated in PPS12<sup>1</sup> paragraph 4.32, then Persimmon Homes and the Wilton Estate have no objection to the continued inclusion of these policies in the South Wiltshire Core Strategy.

13.3.4 It is acknowledged that there may be particular 'local' reasons for expressing a greater degree of policy detail in the CS than provided by national and regional policy alone. For example, local circumstances prevailing in South Wiltshire might support a 'local' interpretation or variation of higher level policy. The key point to note is that the local authority must have sound evidence, justified by local circumstances, to support a more specific local policy in the Core Strategy. Persimmon and Wilton note that, given the particular issues relating to protection of the Cathedral views, Core Policy 8 Salisbury Skyline accords with the advice in PPS12 and merits inclusion in the South Wiltshire Core Strategy.

### **Conclusions**

13.1.4 Persimmon Homes and the Wilton Estate note the approach set out in the CS in respect of Core Policies 8, 22, 24 and 25. Core Policy 8 has particular local

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<sup>1</sup> PPS12 Local Spatial Planning (2004) NPP/12 A

distinctiveness and is essential to the delivery of the Core Strategy, whereas, this is less so in respect of Core Policies 24 and 25. The matters covered by Core Policy 22 appear to be more generic and would equally apply to other parts of the county, thus might be more appropriately included in the Wiltshire wide CS.

### Q13.2 Flood Risk. Core Policy 21

*Is Core Policy 21 (Flood Risk) locally distinctive, does it add anything to national or regional policy?*

13.2.1 Persimmon Homes and the Wilton Estate support Core Policy 21 as this reflects new advice set out in PPS25. Furthermore, it is noted that Sustainable Urban Drainage schemes are becoming more prevalent in the design of new development.

13.2.2 However, Core Policy 21 has only limited local distinctiveness in so far as it includes references to the Salisbury Strategic Housing Land Availability Assessment (SHLAA)<sup>2</sup> and the Strategic Flood Risk Assessment (SFRA)<sup>3</sup>.

13.2.3 PPS25 Development and Flood Risk Practice Guide<sup>4</sup> states that:

**LDDs should identify the specific flood risk related issues which will need to be addressed for certain site allocations when a planning application is submitted for their development. (paragraph 2.23)**

13.2.4 Core Policy 21, as drafted, does not particularly achieve this and lacks any particular local distinctiveness. It could be readily omitted from the Core Strategy without undermining the plan's spatial strategy or national and regional guidance should this be considered more appropriate, having regard to the advice not to repeat national policies in LDFs.

13.2.5 Persimmon Homes and the Wilton Estate note that work on the preparation of both the South Wiltshire Core Strategy and the Wiltshire Core Strategy has led to the need to prepare DPDs covering the allocation of small (non strategic) sites and development management across the whole county; although there is no programme in the LDS for these DPDs. Consequently the need for a flood risk policy could be reviewed when the Wiltshire wide Development Management policies are prepared in due course, later in 2010 through the new Wiltshire Core Strategy.

<sup>2</sup> Strategic Housing Land Availability Assessment (2009) STU/06

<sup>3</sup> Strategic Flood Risk Assessment (2008) STU/29A

<sup>4</sup> PPS25 Development and Flood Risk Practice Guide Para 2.23

## Conclusions

13.2.6 Persimmon and Wilton support Core Policy 21, however, Persimmon and Wilton do not consider that Core Policy 21 is particularly locally distinctive sufficient to merit inclusion in the Core Strategy, as it adds little to the extensive national and regional policy on flooding and the management of flood risk or elaboration upon any particular local flood risk considerations.

### Q13.3 Core Policy 18. Lifetime Homes

*Has the feasibility and viability of applying this policy to all new dwellings been considered? Is this policy sufficient to ensure that adequate provision will be made for accommodation for the elderly?*

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**Has the feasibility and viability of applying this policy to all new dwellings been considered?**

13.3.5 Persimmon Homes and the Wilton Estate object to Core Policy 18 in respect to Lifetime Homes, in particular the requirement that **all** residential development will accord with the Lifetime Homes Standards. It is wholly unreasonable and unrealistic to require that the Lifetime Homes standard be applied to **all** residential dwellings to be delivered in South Wiltshire through the Core Strategy. This approach is inconsistent with, and seeks to accelerate, the national timetable and position, which is still under consultation.

13.3.6 Whilst a proportion of the dwellings at the Strategic Allocation sites, including Fugglestone Red, will be provided in accordance with the Lifetime Homes Standard, the precise number should be agreed through negotiation on a "site by site" basis, having regard with local need evidence and demand and the prevailing Building Regulations and Code for Sustainable Homes requirements. Persimmon and Wilton acknowledge the needs of the elderly should be taken into account at the strategic sites.

13.3.7 However, Persimmon Homes and the Wilton Estate object to any proposed acceleration of the Code for Sustainable Homes (which includes areas of sustainability design, such as Lifetime Homes (*Code for Sustainable Homes – A step change in sustainable home building practice*" - CLG December 2006)<sup>5</sup> being introduced ahead of the national timescale. The key point is that there should be no local departure from the nationally agreed standards and timetable. Even the current timetable requires greater flexibility. There are practical difficulties in terms of the early introduction of the Code for Sustainable Homes. There are already technical, viability and "supply chain" problems with achieving

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<sup>5</sup> Code for Sustainable Homes – A step-change in sustainable home building practice – CLG December 2006. Core Document ref NPP 32

the national timetable. Persimmon, the HBF and other major house builders are working closely with the Government to address and overcome this problem.

13.3.8 The Code for Sustainable Homes is being introduced to enable a “step change” in sustainable building practice for new homes.

13.3.9 The key point to note regarding the Code for Sustainable Homes is that it is a voluntary standard with flexibility for developers to determine the most cost-effective mix of issues to cover the achievement any particular level, subject to a limited number of mandatory requirements.

13.3.10 The proposed changes to the Building Regulations in 2010, 2013 and 2016 will allow for the opportunity to adjust the emerging policy in the light of practical experience. This is particularly significant given that there are acknowledged issues in terms of the technology being available in a useable form on a volume scale. The policy framework developed will need to be flexible and capable of dealing with changing circumstances. It is the industry’s view that by 2016 Code Level 4 will be more likely to be achieved rather than Code Level 6. Therefore, there will need to be some flexibility retained in the LDFs to accommodate any variations at the national level.

13.3.11 It should be noted there is currently a CLG consultation taking place on the “Sustainable New Homes – The Road to Zero Carbon”<sup>6</sup>, with proposals to simplify the Code and streamline the standard. The consultation expires on 24<sup>th</sup> March 2010. The main changes relate to delaying the plans to make the Lifetime Homes Standard mandatory at Code Level 4 in 2010, pending a fuller review of the policy.

**“Whilst we remain committed to ensuring that the housing we build is suitable to respond to the needs of disabled or older people, we also need to recognise the challenges facing the housing industry in the short term by adopting a more proportionate and flexible approach. The 2010 review of Lifetime Homes will consider all these issues and set the direction for future action. In the meantime, the Lifetime Homes Standard will remain Mandatory at Code Level 6 and voluntary at all other levels of the Code.”**

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<sup>6</sup> CLG Consultation December 2009

13.3.12 The Government consultation sets out to streamline the Code; the main changes proposed in this consultation are to ensure consistency with other regulations and standards, in response to the 2007 Government consultation. Whilst there had been support for the standards, the fundamental issue raised by house builders was that it is appropriate to apply the Lifetime Homes Standards to a proportion of a new development and not the whole development and also there were concerns that the standard may not be suitable for all dwelling types, particularly small flats or smaller dwellings in higher density schemes or on constrained sites and therefore the standard could not be applied consistently or equitably. The Government indicated, at that time, the intention of making the Lifetime Homes Standards mandatory at progressively lower levels of the Code in future i.e. at Code Level 3 in 2010 and Code Level 4 in 2013.

13.3.13 However, changes are now proposed to the Lifetime Homes Standard and in the Pre- Budget Report, the Government announced its commitment that cumulative regulation should not unduly constraint house building. The Government is considering the case for, and form of, regulation on Lifetime Homes Standards and focussing on a proportionate approach. Persimmon Homes and the Wilton Estate would support this approach. Therefore, Core Policy 18 is premature and inconsistent with national policy, thus should be deleted or revised.

13.3.14 Paragraph 123 of the consultation document states that:

**“Any move to make LHS mandatory would not be until 2013 at the earliest.”**

13.3.15 The Government has recognised that the immediate costs fall upon the private sector house building and there is a need to retain flexibility to ensure recovery in the housing market. In view of the current economic circumstances and the pressures on the housing market and the need to support recovery the Government is not proposing to make the Code mandatory, at Code Level 4, in 2010. The standard will remain voluntary, except at Code level 6

13.3.16 In view of the above, Persimmon Homes and the Wilton Estate consider that the approach in Core Policy 18 to expect all new residential development to accord with the Lifetime Homes standards is premature and inconsistent with national

policy. A more progressive approach in line with national guidance should be included in Core Policy 18 or the policy should be deleted.

13.3.17 It is noted that reference to the Lifetime Homes Standards have been omitted from emerging RSS on Page 151<sup>7</sup>.

## **Conclusions**

13.3.18 The Council's evidence base has not analysed the feasibility and viability of applying Core Policy 18 to all new developments, it is based on Topic Paper 16<sup>8</sup> which does not include any analysis or reflect the latest position in the national debate on Lifetime Homes.

13.3.19 Core Policy should be deleted or revised (see Appendix 1) to overcome this objection as the current policy is inflexible and fundamentally flawed.

### **Is this policy sufficient to ensure that adequate provision will be made for accommodation for the elderly?**

13.3.20 Core Policy 18 is not sufficient to ensure that adequate provision will be made for accommodation for the elderly. Persimmon and Wilton suggest that an alternative approach is required.

13.3.21 The challenges of the ageing population are faced everywhere, not simply in South Wiltshire. However, it is acknowledged that the demographic profile of South Wiltshire means that this is a key issue facing the Council and society generally.

13.3.22 A "one size fits all" policy is not the answer to this multi-faceted problem, which also covers retrospective modification of the existing dwelling stock.

13.3.23 Persimmon and Wilton accept that the Strategic Sites, such as Fugglestone Red, have a role to play in providing units which are specifically designed to cater for the elderly or capable of future adaptation. These will be both in general market and affordable housing sectors in terms of tenure. It is

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<sup>7</sup> RSS10 Proposed Changes (2008) Page 151 RPP/02

<sup>8</sup> Topic Paper 16: Inclusive Design June 2007 Core Document TOP/16 A  
Second Addendum to Topic Paper 16: Inclusive Design Core Document TOP/16 b

acknowledged that the "Lifetime Homes" are often provided as part of the overall negotiated affordable housing mix.

13.3.24 The needs of the elderly are best addressed on a Wiltshire-wide basis through the emerging Wiltshire Core Strategy.

13.3.25 The housing market and the rented sector seeks to accommodate diverse variety needs, from young single people, couples, families and the elderly. Therefore, it is inappropriate to expect all new development to be designed with the elderly in mind.

13.3.26 Clearly, the needs of the elderly and disabled are addressed through the Building Regulations. Therefore, certain measures are being taken in any event to comply with the Building Regulations.

### **Conclusions**

13.3.27 Core Policy 18 is not sufficient to ensure that adequate provision will be made for the elderly. However, as a more sophisticated policy approach is required, Persimmon and Wilton consider that this would be beyond a minor change and therefore is more appropriately addressed through the Wiltshire Core Strategy.

## **Appendix 1**

### **Alternative Core Policy 18 Lifetime Homes Standards**

An agreed proportion of new residential developments of 15 or more dwellings, subject to negotiation and design and viability considerations, will be provided in accordance with the Lifetime Homes Standards.