



South Wiltshire Core Strategy

Matter 13

Other policies

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Question 13.1. 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?*

- 1.0 These policies were produced having mind of Paragraph 4.33 of PPS12, in that the Core Strategy should not simply reformulate 'development control' policies or repeat national or regional policy. Therefore they have been kept to a minimum and only where there was clear evidence that Development Management Policies may be required to overcome a locally distinctive challenge, whilst maintaining the local character of south Wiltshire was their efficacy explored.
- 1.1 **Core Policy 8 – Salisbury Skyline.** A clear message received through all stages of consultation was that the community considered it essential that growth does not compromise the character of Salisbury, specifically the roofscape and Cathedral views.
- 1.2 To assess the efficacy of Policy D6 (Salisbury District Local Plan) Chris Blandford Associates were commissioned to write a, "Review of the Salisbury Central Area '40ft rule' policy" and set up a stakeholder focus group with English Heritage, local community groups and Salisbury Civic Society. The review identified that the simplicity of the Local Plan policy had led to its success; and the conservation value it had brought to Salisbury was a major contributor to the local distinctiveness and unique character of the City (see paragraph 4.2.1, page 35 of the CBA study).
- 1.3 The review revealed that there is a practical weakness in Policy D6. By staying silent on the issue of exceptions, the policy was more vulnerable to challenge and left the door open for exceptions to be argued in all manner of ways. This view has been backed up by legal opinion. Therefore the new Core Policy 8 has been produced to strengthen the policy protection for the Salisbury Skyline by setting out the very limited circumstances that will be considered exceptions and state clearly the fact that development will not be acceptable if it causes harm to the roofscape or Cathedral views. By setting out the exceptions this has the effect of limiting the material considerations which can outweigh the policy.
- 1.4 **Core Policy 22 – Protection of Services and Community Facilities.** This is a direct response to evidence of a local issue within rural parts of South Wiltshire that indicates that the existing development management process is not robust enough to test viability of existing services before change of use is granted. See pages 25-33 of Topic Paper 4, Addendum 2, 'Supporting Communities' and paragraph 6.12 of 'Retail and Leisure Needs Study', page 25. Core Policy 22 is therefore considered material to the strategic nature of the Core Strategy in that the trend for the loss of important local facilities will continue and the locally distinctive nature of the Settlement pattern will erode to a point where there is increased reliance on longer trips for even basic facilities. The policy is not designed to artificially skew the market, it is designed to ensure that all potential viability issues have been effectively addressed and thereby address the locally distinctive challenge of addressing

social exclusion and access to services as set out in Paragraph 3.10, page 25 of the Core Strategy and to deliver Strategic Objective 4 (page 32 of CS).

- 1.5 **Core Policy 24 – Hotel, Bed and Breakfasts, Guest Houses and Conference Facilities.** The policy is seeking to encourage and facilitate new tourist accommodation to address the identified shortage (see Topic Paper 10, 'Tourism, Leisure and Night Time Economy', page 10) and to channel this towards the top of the settlement hierarchy to deliver sustainable patterns of development.
- 1.6 As explained in Paragraph 3.5, page 22 of the Core Strategy, there are a number of barriers preventing tourism making a bigger contribution to the economy. Strategic Objective 6, (page 34 CS) sets out to address them through encouragement of new facilities in sustainable locations. Without the policy, it may prove difficult to resist new proposals in inappropriate locations as national and regional policy is too broad to reflect the local settlement strategy in south Wiltshire. The final clause of CP 24 is designed to retain existing accommodation by applying a more robust test of need. This is to address a local trend of change of use of accommodation away from such uses, such as the redevelopment of the Clovelly Hotel in Salisbury to residential use. Attracting new investment into the most sustainable locations and retaining existing facilities is seen as strategically important to deliver Strategic Objective 6.
- 1.7 **Core Policy 25 – Air Quality.** The Habitats Regulations Assessment (paragraphs 4.46 to 4.53, page 39 onwards), identifies locally specific issues in South Wiltshire related to Special Areas of Conservation and the Air Quality Management Area in Salisbury. It has identified that transport generated emissions in Salisbury will contribute to problems of air pollution in the City as well as having a potentially negative impact on the Salisbury River Avon, Porton Down and Salisbury Plain Special Areas of Conservation and Special Protection Areas. It also indicates that that critical loads of nitrogen deposition are likely to be exceeded in the New Forrest, Dorset Heaths and Fontmell and Melbury Down SAC's. The potential threat to the environment from air pollutants highlights the need for local policy expression to supplement national and regional policy.
- 1.8 The delivery of the planned growth levels set out in draft RSS requires sensitive and robust consideration through local policy intervention. National policy (PPS9) and international law set out the framework within which decisions potentially affecting the integrity of SACs (e.g., the River Avon) have to be assessed. However The Habitats Regulations Assessment (paragraphs 4.46 to 4.53, page 39 onwards), clearly demonstrates that local policy is required in order to provide more guidance on the local circumstances that underpin issues of integrity and critical environmental assets. This is essential to the strategy as without such a policy the strategy to deliver the level of growth planned to meet local needs would lead to conflicts with the Habitats Regulations.

Question 13.2. Flood Risk. Core Policy 21. *Is Core Policy 21 (Flood Risk) locally distinctive, does it add anything to national or regional policy?*

- 2.0 The policy was included within the South Wiltshire Core Strategy (CS) at the request of the Environment Agency (EA). South Wiltshire has the River Avon (Hampshire) system running through it which consequently results in there being a relatively high flood risk with much land being in Flood Zones 2 and 3 (see SFRA Level 1 – STU/29A). The EA felt it was necessary to highlight the flood risk prevalent in the area, due to the high number of rivers, and to confirm that on adoption of the Core Strategy the Council has a deliverable supply of housing land within Flood Zone 1. This would therefore negate the need to allow any housing development within Flood Zone 2 or 3 during the forthcoming years.
- 2.1 With respect to the second paragraph, currently within Core Policy 21, PPS25 Annex F para F14 requires LPA's to adopt policies for incorporating SUDS requirements in LDD's, whilst the RSS in para 7.2.21 page 189 identifies that LDDs will need to 'seek to reduce the causes of flooding by requiring that all developments and, where subject to planning control, all land uses (including agricultural activities and changes to drainage in existing settlements) should not add to the risk of flooding elsewhere and should reduce flooding pressures by using appropriate SUDS'. Therefore the text relevant to SUDS is in accordance with national and regional policy.
- 2.2 Ongoing discussions with the Environment Agency have confirmed that they would accept the deletion of Core Policy 21 and subsequent inclusion of its content into the supporting text. The proposed policy text for Core Policy 21 would replace the first paragraph under CS page 129 paragraph 12.2c Flood Risk so it would read as follows:

The Strategic Housing Land Availability Assessment (SHLAA) and the Strategic Flood Risk Assessment (SFRA) currently demonstrates that there is a readily available and deliverable 5 year supply of housing sufficient land available in Flood Zone 1, the zone of least risk, to meet the housing development needs of the area. Proposals put forward in areas of higher risk (Flood Zones 2 and 3) will need to be supported by clear evidence that no lower risk alternative sites are available. This is in order to apply the Sequential Test in line with the requirements of PPS25. The findings of the SHLAA and SFRAs Level 1 and 2 will carry considerable weight when testing the suitability of proposals put forward in higher risk areas. The strategy therefore favours housing development in Flood Zone 1 over areas of higher risk as identified by the SFRA

All new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (Sustainable Drainage) unless site or environmental conditions make these measures unsuitable.

- 2.3 In addition, the line relating to Core Policy 21 in Appendix E Integrated Delivery Plan page 198 of the CS should be deleted to represent removal of policy. Please note that replaced policies G4 and G6 would continue to remain deleted as these were not saved past September 2007.

Question 13.3. 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?*

- 3.0 The potential impact on viability of applying Lifetimes Homes Standards (“LHS”) to all dwellings has been taken into account in paragraph 2.7.4 of the Strategic Sites Viability Overview Assessment carried out on behalf of the Council (EIP library reference: STU/48). LHS are specifically designed so that their application to all new dwellings is feasible and the Viability Overview confirms that this does not necessarily add significant costs.
- 3.1 Page 7 of Topic Paper 16 (EIP library reference: STU/16 A) explains how the population of South Wiltshire is of an elderly nature in comparison to the rest of England and Wales. As well as presenting bare facts about the area’s demographic, this is also relevant because of the direct correlation between disability levels and age: the likelihood of succumbing to some form of disability or impairment increases with age.
- 3.2 The ageing nature of the area’s population means that a locally distinctive policy is justified and, in the light of this, Core Policy 18 is aimed at allowing persons the choice of living in their own home, in their own community, for as long as possible. The flexibility in adaptation accommodated by applying LHS would mean that the CS would have taken all possible reasonable steps to attempt to achieve this.
- 3.3 It is however acknowledged that there will continue to be instances where specialised residential accommodation, away from a person’s home, would be required for reasons of health and/or personal safety resulting from changes in an individual’s abilities.
- 3.4 Consideration was given to including a policy within the South Wiltshire Core Strategy (“CS”) that would have set out criteria for the acceptability of such accommodation (as well as other health and welfare facilities).
- 3.5 However, it was determined that the saved Local Plan policies PS1 and PS2 would continue to provide appropriate policy support for this type of development. Further consideration will be given to this issue in developing the subsequent, Wiltshire-wide, General Development DPD, the timetable for which is under review at the time of drafting. This DPD would not however be intended to revisit the application of Lifetime Homes Standards in the area covered by the CS.