

**SOUTH WILTSHIRE CORE  
STRATEGY**

**EXAMINATION IN PUBLIC**

**Statement of Common Ground as  
agreed between  
Wiltshire Council and the  
Environment Agency**

**19 FEBRUARY 2010**



Plan reference: **Policy 19**

Representation Number: **2629**

#### Issues Raised

We [the Environment Agency] believe the evidence contained within the Habitat Regulations Report justifies the requirement for new houses to meet a standard of water use equivalent to Code for Sustainable Homes Level 3. The revised Building Regulations October 2009 include a water efficiency target of 125 litres per person per day. However given the evidence put forward within our representations to the Regional Spatial Strategy we consider the Code Level 3 target of 105 litres per day more appropriate.

The requirement for non-residential development to include water efficiency measures shows the need for all development proposals to consider their water demand. Targets for non-residential development more difficult to set therefore this policy allows for

#### Wiltshire Council Response

Comment acknowledged.

#### Agreed position

No amendments required.

Plan reference: **Policy 20**

Representation Number: **2629**

#### Issues Raised

We [the Environment Agency] believe the evidence contained within the supporting text and Habitat Regulations Report justifies the requirement for this policy.

#### Wiltshire Council Response

Comment acknowledged.

#### Agreed position

No amendments required.

Plan reference: **Policy 21**

Representation Number: **2629**

### Issues Raised

This policy refers developers to locally specific evidence which will need to be referred to when applying national planning policy on flood risk.

### Wiltshire Council Response

Comment acknowledged. However please see Council's response to Matter 13.23 and possible revised wording.

### Agreed position

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.*

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.

Plan reference: Saved Local Plan **Policy G8**

Representation Number: **2629**

### Issues Raised

This saved policy is limited to protecting water resources in Groundwater Source Protection Areas. In South Wiltshire groundwater is the source of much of the river flow within the River Avon. Therefore water quality must be protected in all developments not just those within Source Protection Zones to comply with the requirements of the Water Framework Directive. Core policy 20 only covers mitigation of potential disturbance effects of development close to the River Avon and phosphate management.

Planning Policy Statement 23 (PPS23) Planning and Pollution Control states in Appendix A that matters such as;

- the possible adverse impacts on water quality and the impact of any possible discharge of effluent or leachates which may pose a threat to surface or underground water resources directly or indirectly through surrounding soils
  - the need to make suitable provision for the drainage of surface water
- are matters to be considered when drawing up local development documents and determining individual planning applications.

We consider that saved policy G8 is not consistent with national policy in this respect.

Add paragraph between the first and second paragraphs in 12.2(b) which describes the importance of protecting and improving water quality across South Wiltshire. Suggested text could be:

*Groundwater in South Wiltshire is the source of much of the river flow within the River Avon so pollution of groundwater has the potential to impact on the water quality in the river.*

*Source Protection Zones are mapped by the Environment Agency. They are used to protect abstractions used for public water supply and other forms of distribution to the public. These zones show the areas of groundwater within which there is particular sensitivity to pollution risks due to the proximity of a drinking water source and the way the groundwater flows. Generally the closer the activity or release is to a groundwater source the greater the risk.*

*Protecting water quality both in and outside of Source Protection Zones is necessary to comply with the requirements of the Water Framework Directive.*

Replace with policy (or add to Core Policy 20) which states:

**“In order to protect groundwater and surface water quality development will need to incorporate measures during construction and operation that avoid and prevent pollution.”**

## Wiltshire Council Response

It is accepted that PPS 23 highlights a significant deficiency with policy G8. As a result it is suggested that policy G8 should be removed from the list of saved local plan policies in Appendix C.

The comment to add text to paragraph 12.2(b) which describes the importance of protecting and improving water quality across South Wiltshire is also accepted.

Bearing in mind the status of national policy (at PPS23), it is acknowledged that Core Policy 20 could benefit from additional wording which highlights the need to protect groundwater and surface water quality in order to avoid and prevent pollution.

## Agreed position

Remove policy G8 from the list of saved local plan policies in Appendix C.

Insert the following text between the first and second paragraphs in 12.2(b):

Groundwater in South Wiltshire is the source of much of the river flow within the River Avon so pollution of groundwater has the potential to impact on the water quality in the river.

Source Protection Zones are mapped by the Environment Agency. They are used to protect abstractions used for public water supply and other forms of distribution to the public. These zones show the areas of groundwater within which there is particular sensitivity to pollution risks due to the proximity of a drinking water source and the way the groundwater flows. Generally the closer the activity or release is to a groundwater source the greater the risk.

Protecting water quality both in and outside of Source Protection Zones is necessary to comply with the requirements of the Water Framework Directive.

Insert the following text after the second paragraph of Core Policy 20 (Pollution and phosphate levels in the water environment) (however insert the words 'where required'):

In order to protect groundwater and surface water quality development will need to incorporate measures, where required, during construction and operation that avoid and prevent pollution.

Plan reference: **Page 32, SO 5: Headline Performance Indicator**

Representation Number: **2629**

### Issues Raised

From our [the Environment Agency's] perspective the Headline Performance Indicator and target for this Strategic Objective would not necessarily be effective. We are not a statutory consultee on all applications, so having a nil target of planning permissions granted contrary to our advice would not pick up all development. Ideally there should be no development granted contrary to policies 19, 20 and 21.

### Wiltshire Council Response

Comment accepted.

### Agreed position

Amend Headline Performance Indicator to read:

Number of planning permissions granted contrary to ~~advice from statutory consultees~~ Core Policies 2, 8, 9, 12, 13, 18 - 21 and 23 where relevant. (Local Performance Indicator to be monitored through AMR).

Or

Number of planning permissions granted contrary to ~~advice from statutory consultees~~ relevant Core Policies in this document. (Local Performance Indicator to be monitored through AMR).

Plan reference: **Page 145 Hampton Park - Objectives for the development**

Representation Number: **2629**

### Issues Raised

The objectives for the development and the site constraints incorrectly identify that the River Bourne is a tributary of the River Avon SAC/SSSI. The Bourne is an integral part of the SAC/SSSI.

Our recommendation would be to amend as follows:

Final bullet point of site constraints to read:

- To deliver development which conserves and in places enhances the natural environment, including the quality of the River Bourne which is within the River Avon SAC/SSSI.

Within Site Constraints fourth bullet point to read:

- The River Bourne, part of the River Avon SSSI/SAC

### Wiltshire Council Response

Comments accepted (although the Council assumes that the first bullet point comment above refers to 'Objectives for the development' and not 'Site Constraints').

### Agreed position

Amend final bullet point of 'Objectives for the development' to read:

- To deliver a development which conserves and in places enhances the natural environment, including the quality of the River Bourne ~~tributary of the~~ which is within the River Avon SAC/SSSI.

Amend fourth bullet point of 'Site Constraints' to read:

- The River Bourne ~~tributary to,~~ part of the River Avon SSSI/SAC

Plan reference: **Page 154 Churchfields - Essential Infrastructure Requirement**

Representation Number: **2629**

Issues Raised

Ideally this should refer conclusions of the SFRA Level 2.

Wiltshire Council Response

Comment accepted.

Agreed position

Insert reference to SFRA level 2 into the 'flooding' section of 'essential infrastructure requirements' (page 156) so that it reads:

**Flooding:** Requirements of SFRA level 2 to be incorporated into design and resilience planning measures. Much of the site is within Flood Zone 1. Future development...

Plan reference: **Pages 196-197 Strategic Objective 5**

Representation Number: **2629**

#### Issues Raised

Since maintenance of the River Avon SAC in favourable condition is a target in the table on pages 196-7, it would be preferable if an indicator is added that looks at the % habitat of River Avon SAC in favourable condition.

#### Wiltshire Council Response

Natural England only undertake a river condition assessment every 6 years, It is based on measuring a range of attributes but is not really based on % length of the river as such and this is therefore not felt to be an appropriate indicator.

#### Agreed position

No proposed amendments.