



**Wiltshire Council
Local Development Framework**

**SOUTH WILTSHIRE CORE STRATEGY DEVELOPMENT PLAN
DOCUMENT REVIEW**

Examination

**Position Statement for Matter 1: Conformity and Weight to be
afforded to RSS**

July 2011

Contents

Matter 1, questions to be considered	Page No.
Question 1. What weight should be attached to the emerging Regional Strategy for the South West in preparing the Core Strategy?	4
Question 1.2 Is the Core Strategy, in the form now proposed by the Council, generally consistent with the emerging Regional Strategy?	5

Matter 1. Question 1. What weight should be attached to the emerging Regional Strategy for the South West in preparing the Core Strategy?

- 1.0 The Council consider that the advanced stage of draft South West Regional Spatial Strategy¹ (dSWRSS) should afford it weight as a material consideration in the production of the South Wiltshire Core Strategy (SWCS). Despite uncertainty over its future due to the evolving national planning framework, until such time that it is formally replaced, there is a presumption that a Core Strategy produced in its area should be in general conformity with it. While the dSWRSS is not the adopted regional strategy (the dSWRSS has not been adopted, therefore, RPG10 is still the adopted development plan document), Wiltshire Council has taken a pragmatic, forward looking approach and has planned to be in general conformity with the draft document. This is the case with both the South Wiltshire Core Strategy Submission document and the proposed focussed changes. It should be noted that the Submission document received a letter of general conformity (related to both RPG10 and draft dSWRSS) from South West Councils, and indeed the former Government Office for the South West².
- 1.1 The CALA Homes judgment was primarily brought against the South East Regional Spatial Strategy and whilst it has clarified the legal situation in that area, the planning context in the South West, which does not have a final published RSS, remains uncertain. The legal status of RPG10 and the Wiltshire and Swindon Structure Plan has been confirmed, whereas the subsequent RSS documents – the draft RSS, the EIP Panel Report and the Proposed Changes – have the status of material considerations but of uncertain weight. The draft dSWRSS has a clear history of public consultation. Also the subsequent recommendations of the EIP Panel reflect subsequent public testing of the submitted draft. The Proposed Changes RSS which generally added further to the Panel’s recommended increases in dwelling totals, however, did not formally complete all of the required processes before the 2010 General Election and was never finally published. It may be fairly argued therefore that the latter should not carry as much weight as the two earlier RSS documents. Given the stated intention of the Government, there is significant doubt over whether adoption of this strategy will indeed ever be achieved. Although, as stated, its advanced stage through the process gives it weight as a significant material consideration, it is a fact that it is not yet part of the adopted development plan and does not yet carry that primacy in the decision making process afforded to such documents. Also while there is a need for the South Wiltshire Core Strategy (SWCS) to be in general conformity with the dSWRSS there are other material considerations that also need to be taken into account.
- 1.2 While there is a degree of uncertainty regarding the status of the dSWRSS, the Cala Homes rulings and emerging national planning framework, do highlight the need for any Core Strategy to be properly compliant with the regulations of the day. The

¹ The draft Revised Regional Spatial Strategy for the South West incorporating the Secretary of State’s Proposed Changes – July 2008. EIP document ref: The library reference is RPP/02

² See EIP documents STA 13D (letter of conformity from SW Councils) and STA 04D (Letter confirming general conformity from GOSW)

uncertainty also reinforces the need for any plan to have in-built flexibility to be able to adapt to changing events. It is a plan for the future and needs to be carefully considered as such. The review of the SWCS will strike an effective and flexible balance between achieving conformity and embracing the changing national agenda. In basic language the strategy needs to be future-proofed. Given the uncertainty over the weight to be afforded the different versions of the dSWRSS, the Council has taken a pragmatic and prudent approach that maintains general conformity while taking note of new evidence and ensuring it is suitably flexible to adapt to future changes. How this has been achieved will be discussed in subsequent matters, 2 to 7.

Question 1.2 Is the Core Strategy, in the form now proposed by the Council, generally consistent with the emerging Regional Strategy?

- 2.0 When considering general consistency with the dSWRSS, it must be emphasised that the underpinning strategy in the SWCS has not fundamentally changed through the review. The need to deliver a step change in housing and employment delivery, through the frontloading of mixed- used sites in a manner that acknowledges the pre-eminence of Salisbury as the most sustainable location in the area, remains absolutely intact. It will deliver 6000 homes in the Salisbury area. This strategy fundamentally follows that set out in the dSWRSS and given the influence of other material considerations, such as the very real impact of the emerging localism guidance on the ground, the review represents a very positive outcome which strikes an appropriate balance between conformity and being forward looking. The Submission document received a letter of general conformity (related to both RPG10 and draft dSWRSS) from South West Councils, and indeed the former Government Office for the South West³.
- 2.1 To go further, the Inspector has already accepted that the fundamental strategy has not been changed by the review in that it has been accepted that the revisions are 'focussed changes' as defined in the PAS guidance⁴. This was confirmed in email correspondence to the Council on the 5th April 2011, in which the Inspector stated

*Having looked at the amendments proposed at the meeting together with Topic Paper 20: Review of the SWCS and the Final Schedule of Focussed and Consequential Changes which you supplied in your email of 8th March 2011. The Inspector remains of the opinion that the changes proposed are indeed 'focussed' as opposed to 'extensive'. He comes to that view because these changes are relatively few in number and the **do not alter the basic strategy of the plan**⁵ - which is to concentrate development on Salisbury/Wilton/Amesbury.*

³ See EIP documents STA 13D (letter of conformity from SW Councils) and STA 04D (Letter confirming general conformity from GOSW)

⁴ Planning Advisory Service, CLG Plan Making Manual, Making significant changes: focused or extensive, see webpage: <http://www.pas.gov.uk/pas/core/page.do?pageId=109892>

⁵ emphasis added by proof author.

- 2.2 The Council agrees with this assessment, as it considered the strategy to be sound (including in conformity) on original submission, and that has not fundamentally changed. It is therefore logical to conclude that it remains in conformity.
- 2.3 In Paragraph 24, the CALA Homes judgement reinforces the need for general compliance. The Judge rightly observed that there must be “general conformity” with the regional strategy, although stating, *‘It would be unlawful for a local planning authority preparing, or a Planning Inspector examining, development plan documents to have regard to the proposal to abolish regional strategies. For so long as the regional strategies continue to exist, any development plan documents must be in general conformity with the relevant regional strategy’*
- 2.4 While it may be debatable what the regional strategy is (as mentioned in paragraph 1.1 above the dSWRSS has not been adopted, therefore, RPG10 is still the adopted development plan document), Wiltshire Council has taken a pragmatic, forward looking approach and has planned to be in general conformity with the emerging document, both with the Submission document and through the proposed focussed changes.
- 2.5 Turning to the question of housing numbers. Firstly, as discussed throughout the EIP process, to purely focus on numbers without appreciating the wider context, can give only a partial picture. Carrying out a simplistic exercise of matching numbers should not be mistaken for achieving general conformity with the underpinning strategic direction of the dSWRSS. This view is supported by the letter of conformity issued by East Midlands Councils to Market Harborough, which confirms conformity whilst acknowledging that Policy 2 (Delivering New Housing) diverges from the plan supported by local evidence.⁶ The target housing figures proposed in SWCS do vary slightly from those in the dSWRSS (indeed they have consistently since submission), but that does not necessarily mean that the CS is not in general conformity with the policy as contained in the regional strategy: rather that newer, local evidence supports a different numerical approach to housing and job growth in order to achieve the fundamental aims of the strategy (conformity but a variation in numbers supported by local evidence)

	RPG10 (2001) & Structure Plan (2006)	Draft dSWRSS (2006)	dSWRSS SoS (2008)	SWCS Submission (CP1) (2009)	SWCS Review (2011)
Salisbury	3900	5000	6000	8100	6060
Rural Areas	4100	4200	6400	5070	3840
Total	8000	9200	12,400	13170	9,900
Percentage Split - Urban	49%	55%	49%	62%	61%
Percentage Split - Rural	51%	45%	51%	38%	39%

⁶ See letter to Market Harborough from East Midland Councils, EIP library reference: RPP10

- 2.6 It is important to put the focussed changes proposed by the review into the SWCS into context. This reveals that the figures do not diverge from the dSWRSS as far as it may initially appear. The table below sets out the key figures and it is important to understanding that the dSWRSS requires a split between homes delivered for Salisbury urban area and those outside.
- 2.7 These figures show a number of relevant factors. Firstly that the Submission Draft SWCS has always been slightly divergent from the dSWRSS in the ratio of homes to be delivered for Salisbury and those outside. This divergence is based on local evidence related to the highly constrained nature of the rural areas in South Wiltshire and the pre-eminence of Salisbury as a sustainable location. Topic Paper 3 explains how a sustainable settlement strategy has been based on the analysis of the services that settlements provide and this clearly highlights the pre-eminence of Salisbury as the most sustainable location for development in South Wiltshire⁷. Topic paper 17 on the site selection process sets out the evidence that has been used to identify potential sustainable development sites. Factors such as the Sustainability Appraisal, the AONB, European Habitat Sites, World Heritage Site and the remoteness of some of the settlements clearly leads to the conclusion that Salisbury, together with Wilton, represents the only realistic option for significant growth in South Wiltshire.⁸ This argument has been made consistently throughout the process. Despite this it should be noted that even after the review, SWCS will still deliver over 6000 homes in the Salisbury area, which is in direct conformity with the dSWRSS.
- 2.8 The evidence referred to in the preceding paragraph regarding the identification of opportunities for sustainable growth in South Wiltshire, has led to the divergence in housing numbers within the rural areas where the review suggests a reduction to just below 4000 homes. This is a difference of some 2560 from the Panel Report Draft, although less than 400 from the first draft RSS. The reason for this is explained in the following paragraphs. Firstly it should be emphasised that the Council has consistently maintained that the dSWRSS does not adequately reflect the dominance of Salisbury as a sustainable location and has maintained a consistent stance with regard to the proportion of growth that should be located around the City and in the rural areas. The table above shows that this has consistently been in the region of 60% to Salisbury and 40% outside, compared to the dSWRSS figures of roughly 50:50. This is a reflection of the primacy of Salisbury as a sustainable location as indicated through the SA/SEA process. It should be noted that the dSWRSS with Secretary of State comments, was not subject to the full SA process (which was being reviewed at the time of the general election) and thus far has failed to demonstrate how alternative options for growth have been adequately considered to best reflect the characteristics of the area.
- 2.9 The review has given the Council an opportunity to take account of the up to date evidence. This draws on the advice of the CLG Chief Planning Officer advice to Councils.⁹ The evidence related to the projected housing and employment figures and presented to support the SWCS review¹⁰ is more up to date than that used for the dSWRSS. The latter was based on housing figures identified in 2003 ONS

⁷ Topic paper 3, Addendum 2, Chapter 4, the Basis of Dispersal of Development.

⁸ South Wiltshire Core Strategy Topic Paper 19 - Identification of Strategic Growth Areas Paper 1 (February 2008), Chapter 4, page 8 onwards

⁹ See letter of 6th July 2010 to Councils from Steve Quartermain, Chief Planner CLG, especially paragraphs 10, 11 and 12 of the appendices.

¹⁰ See EIP document COM/02B, Housing Technical Paper, Cabinet of Wiltshire Council 19.10.10.

projections.¹¹ The new evidence, as set out by the Council, has helped complement and clarify those of the dSWRSS and suggested a justified reduction in the rural areas outside of Salisbury. However the consideration of new and up to date evidence, while material to making a balanced judgement, has been used prudently to ensure that the SWCS remains consistent with the aims of the dSWRSS, (i.e. that of frontloading growth around Salisbury to deliver a step change in housing growth, while focussing new homes outside of the urban area, predominantly to the larger villages which comprise local service centres and represent the more sustainable options).

- 2.10 A further consideration is that the feedback received from all stages of consultation, throughout the production process, including the latest stage on the SWCS Review, has highlighted that the communities have indicated that they consider the level of new homes to be accommodated within the rural areas to be too high. This issue has been accentuated by Government announcements in advance of the Localism Bill becoming legislation, and has increased public expectation about the influence of communities in determining these matters. While in the context of the latest Cala Homes ruling, it is clear that consistency with the dSWRSS is important, it would be wrong to set aside the impact of the Government's agenda on the local communities and their representatives. As such the opportunity of the review and the fresh evidence that has been identified, has allowed the Council to take a pragmatic and responsible approach to ensure that the ambitious growth strategy is maintained (and hence consistency with the dSWRSS), while also responding positively to the views of the communities themselves. The Council believes that the focussed changes to the SWCS achieve this balance.
- 2.11 Another consideration is that of ensuring that the SWCS is forward looking and can adapt to forthcoming changes to the planning system. It is of course impossible to predict all of the possible changes that may happen and hence it is important to ensure that the strategy is flexible. During the Spring of 2011, the Council gave a series of seminars to all Community Areas within Wiltshire. This included discussion about Neighbourhood Planning. During these events many communities expressed the desire to embrace Neighbourhood Planning to deliver homes in their area. This was especially so in the rural areas. It would be wrong to prejudge how this may deliver homes until the parliamentary process is complete, but it does have the potential to deliver additional homes in the rural areas above those identified within the SWCS. What this highlights is the need for the SWCS to plan ahead and set the flexible framework to allow neighbourhood planning (or whatever alternative shape the future of planning may take), and hence the need not to be over prescriptive in the rural areas given the current uncertainties.
- 2.12 The level of housing proposed for the rural areas is to be considered a floor, not a ceiling. The delivery of the amount shown in the focussed changes would allow significant progress to be made to meet local needs in a sustainable manner, and also affords the opportunity for communities to deliver further numbers through their neighbourhood plans where they so wish. Finally the Council has consistently argued at EIP that the dSWRSS Panel Report was in the region of 1000 homes too many. This point has been robustly made at the EIP and is a matter for the Inspector to decide upon.

¹¹ See DSWRSS Panel Note A to the EIP.

- 2.13 With respect to job numbers, as explained in paragraph 2.5 above, carrying out a simplistic exercise of matching numbers in the RSS proposed changes should not be mistaken for achieving general conformity with the underpinning strategic direction of the dSWRSS and it is important to put the focussed changes proposed by the review into the SWCS into context. The review has given the Council an opportunity to take account of the updated evidence not just on housing but also with respect to jobs and employment land. This draws on the advice of the CLG Chief Planning Officer advice to Councils.
- 2.14 The rationale for reduction in job numbers is explained within Topic Paper 20¹² and STU/11 B 'Review of Employment Projections and Land Requirements in south Wiltshire'. The Council commissioned Cambridge Econometrics to provide up to date job forecasts. This clearly shows a reduction forecast from 13,900 (Cambridge Econometrics forecast run in 2006) to 10,400, (Cambridge Econometrics forecast run in 2010). This clearly shows that a reduction in the employment land required by the draft dSWRSS (37ha) to around 20 ha is justified by the latest evidence¹³. This easing of need/demand reflects the effect of the recession with a negative land requirement (as a result of job losses and redundancies) between 2006 to 2010 and growth beginning to pick up again in 2011, projected to peak in the 2016-2021 period. This is different to the figures for the dSWRSS based projections which showed the majority of employment growth taking place by 2011 (table 63, page 139 of STU/11), whereas more recent projections show clear contraction in economic output during this period as well as a change in sector growth resulting in a further reduction in land requirement. In addition it is now acknowledged that the decant of Churchfields Industrial Estate will now occur at a slower rate than initially envisaged. The result being that less employment land is needed and at a slower rate than previously envisaged.
- 2.15 As described in Matter 2 the proposed level of housing has considered the need for new jobs. The economy has experienced a slowing in job delivery and loss of jobs because of the 2008 recession, this has a corresponding impact on needing so much housing up front in order meet the needs of increased job provision and therefore provides additional justification for slowing the delivery of housing slightly in an area that has so many environmental constraints. PPS12 states that (para 4.6) 'Core strategies may allocate strategic sites for development. These should be those sites considered central to achievement of the strategy'. Given the slow down in the economy and resulting slow down in need for job driven housing it is concluded that not all of the strategic sites proposed in the SWCS submission draft are needed now.
- 2.16 In addition, the dSWRSS identified a range of jobs that should be delivered within Travel to Work Areas (TTWA), for the Salisbury TTWA this was a range of 10,800 jobs based on a GVA of 2.8% to 13,800 based on a GVA of 3.2%. The Secretary of State's proposed changes to the dSWRSS took forward the higher growth level of 13,900 for the Salisbury Housing Market Area (HMA) again using the 2006 forecasts. The SWCS review job forecasts of 10,400 is considered to be more aligned to the lower growth scenario originally put forward through evidence to the draft Regional Spatial Strategy which is more realistic given the impact of the 2008 recession and is therefore considered consistent with the evidence to inform the RSS.

¹² See Topic Paper 20, Review of South Wiltshire Core Strategy, page 9, paragraph 5.11.

¹³ See Salisbury District Employment Land Review, EIP document reference, STU/11B

- 2.17 There were other material considerations that the Council needed to take into account when carrying out the review into the SWCS. The letter from the Chief Planning Officer is material¹⁴. The Council, have responded positively and responsibly by looking again at up to date evidence including new housing statistics and consultation representations, when undertaking the review. They have influenced the findings of the review, but in a manner incorporated as focussed changes and not to an extent that changes the underpinning strategy.

Conclusions

- 3.0 The evidence indicates that the SWCS incorporating the focussed changes is consistent with the dSWRSS. The Council considered this to be the case at submission and as the underpinning strategy has not changed, it considers it to be so now. The acceptance of the review as focussed changes indicates that the Inspector agrees this to be the case. In summary the SWCS after the review will:
- Deliver a step change in the delivery of homes and jobs as suggested by the dSWRSS
 - Deliver some 6000 homes around Salisbury in a manner which recognises its pre-eminence as a sustainable location
 - Focuses growth around Salisbury/Wilton and Amesbury
 - Uses up to date evidence and a robust SA/SEA to justify a more pronounced focus of growth away from the rural areas, which lack so many opportunities for sustainable growth
 - Strikes an effective balance which, protects the main strategy being pursued in the document and importantly is flexible to future circumstances.

¹⁴ See letter of 6th July 2010 to Councils from Steve Quartermain, Chief Planner CLG.