



The Planning Inspectorate

Report to Wiltshire Council

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an Inspector appointed by the Secretary of State

Date 23 January 2020

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Wiltshire Housing Site Allocations Plan

The Plan was submitted for examination on 31 July 2018

The examination hearings were held between 2 April and 16 April 2019

File Ref: PINS/Y3940/429/13

Abbreviations used in this report

AA	Appropriate Assessment
AONB	Area of Outstanding Natural Beauty
BBAB-SAC	Bath and Bradford on Avon Special Area of Conservation
CA	Community Area
DtC	Duty to Co-operate
EA	Environment Agency
FRA	Flood Risk Assessment
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
MM	Main Modification
NPPF	National Planning Policy Framework
NE	Natural England
NFDC	New Forest District Council
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area
TBMS	Trowbridge Bat Mitigation Strategy
TA	Transport Assessment
WWSL	Wessex Water Services Ltd
WCS	Wiltshire Core Strategy
WHSAP	Wiltshire Housing Site Allocations Plan

Non-Technical Summary

This report concludes that the Wiltshire Housing Sites Allocations Plan (WHSAP) provides an appropriate basis for the planning of the County, provided that several main modifications [MMs] are made to it. Wiltshire Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

All main modifications are listed in Appendix A. All have been subject to consultation and Sustainability Appraisal (SA). In some cases, I have made amendments to the Council's suggested modifications. These have not materially altered the intent of any policy. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- The deletion of sites H1.2-H1.4, H2.11 and H2.13 to ensure a consistent approach to site selection and national policy, with particular regard to the role of Neighbourhood Plans.
- The deletion of site H2.7, resulting from concerns about the impacts on heritage assets.
- The inclusion of a new site at The Yard, Salisbury to ensure the Plan has been prepared using a consistent approach to site selection.
- The inclusion of site specific policies for all sites which do not have one. This is to ensure that all requirements of the Plan are clearly expressed and provide an effective basis for decision making.
- The modification of site specific policies to ensure all requirements are clearly expressed in the interests of effectiveness.

Introduction

1. This report contains my assessment of the Wiltshire Housing Sites Allocations Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the Duty to Co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised National Planning Policy Framework (NPPF) was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Wiltshire Housing Sites Allocations Plan (WHSAP), submitted in July 2018 is the basis for my examination.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council has requested that I recommend any main modifications [MMs] necessary to rectify matters that make the Plan, as originally submitted for examination in July 2018, unsound or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in Appendix 1.
5. Alongside the Submission Plan (WHSAP.01), the Council submitted a 'Schedule of Proposed Changes' (WHSAP.03). These proposed significant changes to the Plan, including the deletion of some allocated sites, and the allocation of an additional site. On my advice, the Council carried out an additional consultation from September to November 2018. Due to some potential respondents not being notified of this consultation, a further 'targeted' consultation took place between December 2018 and January 2019. This ensured that the consultation as a whole was carried out in accordance with the Statement of Community Involvement (SCI). To all intents and purposes, many of the Proposed Changes were proposed main modifications to the Plan. These Proposed Changes and responses to them were considered through the examination. Where I consider the Proposed Changes are necessary to make the Plan sound, I have recommended them.
6. Following the closure of the hearings, the Council prepared a schedule of 'Further Main Modifications' (FMM), also subject to Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA). These were consulted on between 12 September 2019 and 25 October 2019. Some of these alter in

whole or part the previously consulted on Proposed Changes. The consultation material highlighted where this was the case. As the Proposed Changes had already been consulted on, and discussed at the hearings where necessary and considered by myself, there was no necessity to re-consult on changes already considered. The interests of no party have been prejudiced by this approach.

7. I have taken account of all consultation responses in preparing this report and have made some amendments to the detailed wording of the main modifications. None of the amendments significantly alters the content or intent of the modifications as published for consultation, undermines the participatory processes or SA/HRA that has been undertaken. Where necessary I have highlighted these amendments in the report.
8. The existence of two separate schedules of modifications has the potential to cause some confusion, particularly given that some of the FMMs wholly or partly modify the Proposed Changes consulted on earlier. With this in mind, a single consolidated schedule of main modifications to the Plan, as originally submitted in July 2018, has been prepared. This has resulted in the renumbering of the modifications as originally consulted on but, other than in respect of the detailed wording amendments I have made in the light of consultation comments, their content and effect is unchanged.
9. In adopting the Plan, the Council can also make additional modifications to the Plan so long as they do not, alone or in combination, materially alter the policies of the Plan. Such changes are likely to include minor factual updating and correction of typographical errors etc. The Council consulted on several minor factual updates and consequential alterations to supporting text in its 2018 consultation on Proposed Changes. However, unless identified below, I am satisfied that these alterations to the Plan do not in fact constitute MMs and I have not recommended them as such.

Policies Map

10. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted Development Plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Revisions to Wiltshire Policies Map as set out in WHSAP.28.01-15.
11. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the recommended MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
12. A number of changes to the Policies Map were consulted on alongside the Schedule of Proposed Changes (EXAM.01). Additional changes resulting from the examination were identified as a separate appendix to the consultation on

Further Main Modifications. In this report I identify any amendments that are needed to those further changes in the light of the consultation responses.

13. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed and the further changes published alongside the MMs.

Assessment of Duty to Co-operate

14. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation. The Council is obliged to co-operate with relevant local authorities and other prescribed bodies in relation to 'strategic' matters. These are defined as matters that would have a significant impact on at least two local planning authority areas.
15. The Council has provided statements relating to the DtC (PSCON.13, WHSAP.23). The cross boundary strategic matters which are relevant to this Plan relate mainly to the individual and cumulative impacts on the strategic road network, flooding and on biodiversity assets. The statements identify other important issues, such as the effect of development on the setting of Salisbury Cathedral. It is debatable whether some of these would constitute 'strategic matters' as defined in the Act. Nevertheless, there is evidence of long-term engagement with relevant prescribed bodies and neighbouring authorities on all of these issues.
16. While the extent and regularity of this engagement differs across organisations, I am satisfied that what has been carried out is relevant and appropriate to the scope of the Plan and its likely effects. The engagement has culminated in a range of agreed mitigation measures to address the impacts of development and/or Statements of Common Ground (SoCG) with prescribed bodies. This demonstrates on-going engagement with relevant bodies and a commitment to addressing relevant strategic matters.
17. Matters relating to meeting unmet housing needs from neighbouring authorities are outside the scope of the WHSAP and do not constitute a failure of the DtC. Other areas of concern raised are more related to general matters of engagement than any failure to comply with the DtC.
18. Overall, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the WHSAP and that the DtC contained in Section 33A of the 2004 Act has therefore been met.

Assessment of Soundness

Background

19. The WHSAP has been prepared in the context of the Wiltshire Core Strategy (WCS) which was adopted in January 2015. The WCS sets out the overall vision and spatial strategy for the County up to 2026. It contains strategic policies which define the quantum and distribution of growth within the three

defined Housing Market Areas (HMAs) within the County and the hierarchy of settlements where development is expected to take place.

20. As set out in Section 3 of the Plan, the WHSAP has three objectives. The first relates to ensuring there is a clear definition of the extent of built-up areas through a settlement boundary review. This is dealt with under Issue 3. The second objective is to help demonstrate a rolling five-year supply of deliverable land for housing development. The third is to allocate sites at the settlements in the County that support the spatial strategy of the WCS.

Main Issues

21. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified three main issues upon which the soundness of this Plan depends. Under these headings my report deals mainly with matters of soundness and does not respond to every point raised by representors.

Issue 1 – Is the WHSAP consistent with the Wiltshire Core Strategy?

22. Firstly, paragraph 184 of the NPPF states that local planning authorities should set out clearly their strategic policies for the area. This provides clarity with regard to the preparation of Neighbourhood Plans. The WHSAP is silent on this matter. The Council has determined that all allocations in the WHSAP should be strategic in nature. Insofar as all allocations are deemed necessary to support the WCS, and where there are no other means of meeting these objectives, then such an approach is justified. To be consistent with national policy, a main modification is therefore necessary to address this omission (**MM1**).
23. The WCS establishes a housing strategy based on an overall requirement of at least 42,000 dwellings between 2006 and 2026. This is split into three HMAs. This translates to a requirement of 5,940 in the East Wiltshire HMA (EW), 24,740 in the North & West Wiltshire HMA (N&WW) and 10,420 in the South Wiltshire HMA (SW). Taking account of completions and commitments, at the time of the examination hearings, the Council's evidence indicated a residual requirement in each HMA as follows;
 - 5 dwellings in EW;
 - 1109 dwellings in N&WW; and
 - 1331 dwellings in SW.
24. The WCS states that HMAs are the most appropriate scale at which to disaggregate housing. The HMA figures are also the basis of which any assessment of housing land supply will be assessed. In addition to these figures, the WCS also sets out a range of 'indicative' requirements for each 'Community Area' (CA) the Plan identifies. The WCS states that these figures are not meant to be prescriptive or inflexible, but that they should be considered material in defining the strategy for distribution of housing – including any assessment through subsequent plans such as the WHSAP. The indicative requirements for the CA therefore provide an important

consideration in determining the scope of the Plan and the distribution of sites across the area. However, in determining the overall consistency with the WCS, the HMA requirements take precedence.

25. When recommended main modifications on individual sites are taken into account, the WHSAP would contribute the following number of dwellings during the plan period:
 - 161 in EW;
 - 1233 in N&WW; and
 - 684 in SW.
26. This level of supply is likely to be supplemented by windfalls. There is good evidence that windfalls have been a substantial part of the housing land supply and will continue to be so. This stance was also taken by the WCS Inspector. The Council's submitted windfall estimates are based on a different methodology to that which the WCS Inspector considered appropriate. The figures produced by this, which were more optimistic, were disputed at the hearings. The Council produced a paper (EXAM.17) which compared the 'accepted' approach with their preferred approach and a third 'amended' approach.
27. This provided a range of windfall figures for each HMA. These were between 314 and 823 for East Wiltshire, 1514 and 2209 for N&WW and between 587 and 743 for SW over the remainder of the plan period. Overall, windfalls are expected to account for between 2415 and 3775 dwellings. The lowest figure for all three is derived from the WCS methodology, the highest is from the Council's revised methodology. Whatever figure is selected, this represents a significant proportion of the overall supply. This creates a degree of uncertainty and risk. Indeed, the amount of housing expected through windfall exceeds what is being allocated in this Plan. Nevertheless, there is good evidence that windfalls have been a constant source of supply during the plan period and there is compelling evidence that this will continue into the future. The WCS provides scope for this type of development and I see no reason to consider the WHSAP to be unsound on this basis.
28. EXAM.17 explains the rationale for the three different assessments of windfall. The higher figure is based on the assessment of large site windfalls over the plan period as a whole, rather than just the first five years. There is evidence of a steady supply of large site windfalls coming forward and there is no reason why these should not be included as part of the long-term assessment of provision. The figures produced are in my view based on a robust assessment and provide some comfort over the likely level of delivery.
29. Based on the supply figures set out in TOP.03C, the WHSAP would result in a small surplus in both EW and N&WW. This would be supplemented by windfalls to provide a degree of flexibility and comfort over delivery. This level of 'over supply' would not be significant or lead to any particular inconsistency with the WCS.
30. The situation in SW is different. Even with allocations, there would still be a shortfall of around 647 dwellings. The Council is essentially relying on

windfalls to make-up the shortfall. Depending on which windfall figure is used, and assuming all other commitments come forward as expected, there would either be a deficit of around 60 dwellings or a small surplus of 96 dwellings. I acknowledge that the Council's approach results in a degree of risk in terms of both meeting the overall HMA requirement and ensuring there is a five-year supply of deliverable housing land.

31. However, there are a number of reasons why, in the circumstances and context of this Plan, it is not necessary for additional housing sites to be allocated in this Plan in order for it to be sound. Firstly, any deficit is unlikely to be significant in the context of the overall housing requirement of the WCS or for the SW HMA. Secondly, and importantly, the Council is also in the process of carrying out a review of its Local Plan. This is due to be adopted in 2021. This review provides the Council with the opportunity to consider the need for additional sites, as well as assessing the scale of development required in the light of current national policy and its distribution across the County. I am also conscious of the requirement for Local Plans to be reviewed every five years and the relative age of the WCS.
32. In this context there would be little to be gained by further delaying adoption of this Plan, prolonging the uncertainty around the sites that are already allocated, particularly in EW and N&WW, and delaying the actual delivery of housing. The WHSAP provides additional housing supply and certainty with regard to allocated sites. In this context, the WHSAP is fulfilling its objectives of helping to meet the five-year supply and supporting the spatial strategy set out in the WCS.
33. At the CA level, the WHSAP would not result in an exact 'match' between the indicative requirements for each area and the planned supply. In some areas, there would still be a shortfall, while in others there will be a surplus. This is mainly as a result of development outside the scope of the Plan. Some of the shortfalls are material, particularly in Trowbridge and Salisbury. However, the WCS is clear that these figures are indicative only. It is not absolutely necessary for indicative requirements to be met for the Plan to be consistent with the WCS spatial strategy. The CA figures are helpful in guiding where the Plan should look to 'intervene' and indicating where the most appropriate locations are for development. In this regard, the distribution of development in the WHSAP still supports the strategy in the WCS, particularly in relation to the focus of development on Trowbridge and Salisbury. Where shortfalls do exist in individual CAs, this is unlikely to result in any particular impact on overall supply or delivery. This is particularly the case when considering the level of delivery proposed at the HMA level and across the County as a whole. For the Plan to be sound it is not therefore necessary to allocate additional sites within these locations.
34. It is also unnecessary to seek to meet shortfalls in one CA by increasing growth in another. For example, Salisbury and Trowbridge have been identified as sustainable locations for growth. Redistributing any 'shortfall' from these locations to other areas through the WHSAP would not necessarily result in a sustainable or WCS compliant strategy. This would, in effect, be re-drafting the broad distribution strategy, which is outside the scope of this Plan. In any event, this redistribution has already taken place to an extent, with some CAs receiving higher numbers of new dwellings than originally expected

through windfall development and/or Neighbourhood Plans. This also provides some comfort that the WHSAP would not be seen as a barrier to housing delivery or WCS compliant development taking place elsewhere. Again, in the context of the Local Plan review taking place, delaying the adoption of this Plan to address such issues would also not be justified.

35. Overall, I am satisfied that the WHSAP makes adequate provision to meet housing requirements and is consistent with the strategy set out in the WCS.

Issue 2 - Are the proposed sites justified, effective and consistent with national policy?

Sites – General Issues

36. The general process of site selection involved multiple stages of assessment, as set out in the Site Selection Process Methodology (TOP.02). The Council established at an early stage that the WHSAP would only seek to 'intervene' where it considered it necessary to do so. The initial 'screening' stage focussed on CAs where the Council identified a need for the WHSAP to 'intervene'. Areas where the indicative needs of the CA were already met were excluded from further consideration. While the WCS does not necessarily preclude additional development in these locations, narrowing the scope of search to those areas where there is a so-called 'strategic imperative' to intervene is not an unreasonable approach. In this way, the WHSAP is clearly seeking to support the spatial strategy of the WCS.
37. The second stage of the 'sifting' process involved considering constraints to development as identified in the Strategic Housing Land Availability Assessment (SHLAA) and WCS. Locations considered unsuitable for development were screened out at this stage. Locations where the Council considered there to be no need to intervene were also excluded at this stage. In line with the WCS, sites in some 'Large Villages' and 'Local Service Centres', where indicative needs were already met, or where Neighbourhood Plans were able to address local housing needs, were also excluded at this stage. However, not all Local Service Centres or Large Villages were excluded where the Council considered a need exists. Sites in 'Small Villages' were not considered as the WCS limits growth in these locations to infill only. Narrowing the scope of the Plan through stages 1 and 2 is a reasonable approach.
38. Remaining sites were then considered through the SA. Sites with major adverse effects and no satisfactory mitigation were rejected at this stage. Remaining sites were identified as 'preferred sites' and taken forward to more detailed assessment. Sites considered suitable after this assessment have been included in the Plan. The process has been thorough, and all sites have been considered on a consistent basis. Disputes about the Council's approach and findings are to be expected. These are due to differences in planning judgement and do not undermine the site selection process undertaken. I am therefore satisfied that this followed a reasonable and logical rationale in the context of the WCS and the purpose of the WHSAP.
39. Concerns have been raised that the WHSAP primarily identifies sites outside defined settlement boundaries and that this is contrary to WCS Core Policy 2.

This states that development will not be permitted outside defined settlement boundaries, except in relation to certain 'exception' policies. However, other parts of that policy, and the delivery strategy more generally, highlight the likelihood that additional housing land might be identified through subsequent plans such as the WHSAP or Neighbourhood Plans. There is nothing to suggest that all allocations in these plans would be within settlement boundaries. Moreover, the evidence does not support the idea that all housing needs could be realistically met within settlement boundaries. The WCS makes provision for this. It would not therefore be logical or practical to conclude the allocations in the WHSAP are unsound on this basis. The Development Plan should be read as a whole. In doing so, I consider it reasonably clear that Core Policy 2 does not preclude the Council from considering additional allocations outside settlement boundaries. The allocated sites are therefore not unsound on this basis.

40. Only sites H1.1, H2.1, H2.7, H2.11 and H3.1 are subject to specific policies. The remainder are addressed under general policies H1, H2 and H3. The supporting text for sites without specific policies often sets out detailed requirements or constraints that would affect the determination of any planning application. Reliance on supporting text in these circumstances would generally not form an effective means of decision making on individual applications and would be unsound. To address this, main modifications are needed to elevate much of the supporting text to policy. While in many cases this will not alter the intent of the Plan, it will ensure the Council has a clear and effective basis on which to determine applications.
41. Policies H1, H2 and H3 provide little in the way of guidance for how decision makers should react to a proposal. They are neither effective policies for the determination of planning applications for each site, nor are they consistent with paragraph 154 of the NPPF. This states that only policies that provide a clear indication of how a decision maker should react to a development should be included in the Plan. Subject to other main modifications, these policies would no longer serve any purpose. They should therefore be deleted and redrafted as supporting text (**MM12, MM21, MM96**).
42. The allocations in the WHSAP are predominantly greenfield sites on the edge of existing settlements. There will be an inevitable degree of encroachment into the open countryside and an urbanisation of existing open and undeveloped land. This is likely to result in some degree of harm to the existing character and appearance of each affected area. Nevertheless, in ensuring there is a continuing supply of housing in the area to complement that coming forward through the WCS, Neighbourhood Plans and windfall, there is a need to identify greenfield sites. The allocations are therefore sound in this regard.
43. The evidence base for the Plan and site selection process has identified a number of constraints and issues for each site that any development would need to address. A number of these apply to multiple sites. To avoid repetition, I shall address a number of these below.
44. Issues relating to biodiversity affect a number of sites across the County. Of particular note are potential impacts on the Bath and Bradford on Avon Bats Special Area of Conservation (BBAB-SAC). All sites in Trowbridge (H2.1-H2.6)

and land at Barters Farm (H2.10) have the potential to cause harm to bats. However, provided potential impacts can be avoided or adequately mitigated, then development need not be ruled out in principle. The HRA confirms that with appropriate mitigation in place, the development proposed in the WHSAP would be unlikely to lead to adverse impacts on the integrity of the BBAB-SAC. Mitigation would however be needed to address both the potential loss and/or deterioration of habitat and recreational pressures. The HRA recommends measures relating to the retention of trees and hedgerows, the provision of wide landscape buffers and landscaping and contributions to measures that will be outlined in the Trowbridge Bat Mitigation Strategy (TBMS).

45. Work is continuing on the TBMS, with the intention that it will be adopted by the Council as a Supplementary Planning Document (SPD). A draft was consulted on in February 2019. The aim of the document is to provide a detailed approach to considering the individual and cumulative impacts of development in Trowbridge. While this document is outside the scope of the examination, I am satisfied that it is being prepared in a robust fashion with the input of Natural England. There is a reasonable degree of comfort that the TBMS will therefore become a useful tool in helping to guide the particulars of any development. I have noted concerns that the TBMS is not yet finalised. Nevertheless, the Plan will make it clear that impact assessments will be required which will identify mitigation measures and the supporting text outlines the types of measures that might be expected. The Council will still therefore be able to require appropriate mitigation.
46. The TBMS does not need to be in place to determine sites are acceptable in principle. Moreover, the TBMS is not needed in order for the Council to assess the impact of development or for developers to understand what is expected of them. With or without the TBMS in place, developers will still need to demonstrate that their specific proposals will not result in unacceptable harm. The Plan already alludes to various measures, including relating to layout, landscape buffer zones, retention of mature landscaping, lighting and the need to make financial contributions toward off-site mitigation and monitoring. This is likely to include the creation of Suitable Alternative Natural Green Space(s) (SANG) and monitoring regimes. It is unlikely that all strategic off-site mitigation measures identified by the TBMS would be in place prior to the delivery of some of the housing. Nevertheless, I am satisfied that this is not an impediment to development coming forward on affected sites and that in the long term, such mitigation will be effective. Furthermore, the types of on-site measures identified provide a suitable basis on which proposals can come forward.
47. Modifications will however be needed to give greater clarity on what is likely to be required and to ensure a consistency of approach. As highlighted above, modifications are also required to elevate requirements relating to bats into policy and ensure guidance is clear and consistent. Some of the existing supporting text relating to bats is very specific, particularly with such things as the width of landscape buffer zones. There are risks that this might conflict with the final TBMS or not be the most appropriate solution for an individual site. Being inflexible in this regard might have unintended consequences in terms of ensuring the mitigation proposed is the most appropriate for the site in question. I have therefore recommended modifications to remove this level of specificity and allow some flexibility. Rather than weakening the controls,

this will allow the developers to identify bespoke proposals that are best suited to each site. This would also allow the Council to assess each mitigation scheme on its merits.

48. Sites in Salisbury, Warminster and Durrington have been identified as having potential risks associated with impacts on the River Avon Special Area of Conservation (SAC), particularly in relation to phosphates. The HRA concludes that development in these areas will need to demonstrate they will be phosphate neutral in order to ensure there will be no adverse effect on the integrity of the SAC. A 'Memorandum of Understanding' has been entered into by the Environment Agency (EA), Natural England (NE), New Forest District Council (NFDC), New Forest National Park Authority (NFNPA), Wessex Water Services Ltd (WWSL) and Wiltshire Council. An Interim Delivery Plan for Phosphate Neutral Development was published in January 2019. This sets out the types of mitigation measures that could be implemented to achieve this aim. Those that are identified as potential on-site measures are not unusual. For example, measures relating to green infrastructure, sustainable drainage, water efficiency and sewerage can all serve to mitigate any potential risks.
49. There is also a SoCG (SoCG26) between the same parties. These also describe the on- and off-site measures that will be required to ensure phosphate neutrality. The assessment of risk is robust and the protection of the River Avon SAC can be achieved without undue risk to the delivery of sites. Modifications are still necessary to ensure new site policies, where relevant, highlight the requirement for measures to protect the integrity of the River Avon SAC. Modifications to relevant supporting text are also necessary in the interests of clarity. These will ensure that developers are fully aware of their responsibilities with regard to the protection of the SAC and the Council is able to assess any impacts. Alongside relevant existing WCS policies, when modified the WHSAP should not lead to adverse effects on the integrity of the River Avon SAC.
50. The issue of flood risk was also assessed through the site analysis undertaken. The outcome of this is that the majority of sites are wholly in Flood Zone 1. Sites H2.4, H2.5, H2.6 and H2.9 are partially within Flood Zone 2 or 3. Nevertheless, it has been established that residential development need not intrude into affected parts of any site. These areas are included in the site boundaries to facilitate delivery or provide scope for mitigation measures only. In these cases, flooding issues can be dealt with on a site-by-site basis and there is no clear evidence to suggest development on these, or any other allocated site, would result in undue risk to the new dwellings or increased risk of flooding elsewhere.
51. The overall approach taken is therefore consistent with the sequential, risk-based approach in national policy. The Environment Agency has also raised no objections on this basis. However, owing to the scale of most sites, or their proximity to water courses, there will still be a need to demonstrate compliance with WCS and national policy on flooding. Modifications are therefore necessary to highlight the need for flood risk assessment and to provide certainty and consistency about what will be expected.
52. Clearly, the development proposed in the WHSAP will result in an increase in traffic, particularly in Trowbridge and Salisbury. There is evidence to suggest

that some locations in both settlements are subject to existing traffic problems. This is not unusual in large towns and cities. There are Transport Strategies in place for both Trowbridge (WHSAP.07) and Salisbury (WHSAP.08/08A). These identify the problems and outline potential mitigation measures. Subject to appropriate mitigation taking place, neither these documents, nor any other elements of the evidence base, conclude that the development proposed in the WHSAP would individually, or cumulatively with other development, result in severe transport problems. Importantly, neither the Highway Authority nor Highways England have raised any objections to the principle of development identified in the WHSAP.

53. Where necessary, the supporting text and/or policies of the Plan identify the need for measures to address the impacts of development, including new access links and improvements to existing junctions or improvements to support walking and cycling. This will usually be based on the provision of a Transport Assessment (TA) to assess the scale of any impact and suggest mitigation measures. This is not unusual. There is no clear evidence therefore that any site should be considered unsound in principle on the basis of transport impacts. This does not negate the need for such issues to be considered on a case-by-case basis, but there is adequate evidence in place to give comfort that appropriate solutions can be found to minimise the effect of development. There are instances where the Plan would be more effective if specific reference to where Transport Assessments will be expected to focus and/or where improvements will be required.
54. There is an inconsistent and sometimes unclear approach to how references to the need for infrastructure contributions are made. In places, it is implied that what is being required would go beyond the normal approach as set out in the WCS. This is not justified. A number of main modifications are therefore needed to ensure the approach is clear, consistent, justified and effective with regard to any obligations.
55. The Council has had regard to all of the above constraints in the selection of sites. Other than where specifically referred to below, I am satisfied that there is a reasonable prospect of development being able to take place without unacceptable harm. This will clearly be dependent on the nature of any proposals put forward by developers. However, these constraints are not enough to render sites unsound in principle. This does not negate the need to assess proposals on their merits and there will clearly be a need for developers to come forward with well-designed and sensitive proposals that have proper regard to the character and context of every site. The main modifications will ensure the Council has an effective means of ensuring this.
56. Main modifications **MM9, MM10, MM11** and **MM22, MM68, MM69, MM97, MM120, MM121** are necessary to address the issues raised above. Others are identified within the main modifications for individual sites where other changes are also necessary.

Sites – Specific

57. The soundness of individual sites is considered below. Where an issue is not referred to specifically then, subject to any modifications referred to in

paragraphs 36-55, it can be taken that in all other matters the site is suitable to be allocated.

East Wiltshire Housing Market Area

Tidworth Community Area

58. Land at Empress Way (H1.1), Ludgershall is identified for the development of around 270 dwellings. Part of the site is already subject to a planning permission. The lack of natural boundaries to the south can be addressed through sensitive design and layout. Development would extend no further south than development under construction to the west. In this way, it would integrate well with its surroundings.
59. The WCS identifies Ludgershall as a Market Town, and thus having potential for growth. The site itself is adjacent to an area of existing development and relatively well related to facilities in Ludgershall and public transport. The potential for improving accessibility is recognised in the policy. There are no insurmountable constraints to impede delivery and thus the site is sound in principle.
60. The policy and supporting text relating to the land for a primary school is unclear and modifications are necessary to give guidance on where in the site the land should be identified. The evidence does not support the holding of land for a primary school in perpetuity. Modifications are therefore necessary to make this clear.
61. There is nothing to suggest the proximity to a sewerage treatment plant is an impediment to development in principle. However, an odour assessment will still be needed to help guide layout and ensure a satisfactory living environment can be created. To ensure clarity, the policy and supporting text should also include reference to various requirements, including the need for a Transport Assessment (TA) and the specific assessment of trigger points for delivery of an access via Simonds Road, a flood risk assessment (FRA) and measures relating to design and layout. Main modifications to both policy and supporting text are needed to address all of these points and ensure effectiveness (**MM13 – MM16**).
62. The scope of the WHSAP established that the Council would generally not intervene at a local level where a Neighbourhood Plan was 'sufficiently progressed'. TOP.02 states that Neighbourhood Plans would only be considered 'sufficiently progressed' if they had reached Regulation 16 stage. The Market Lavington Neighbourhood Plan was not at this stage at the time of the examination hearings. Nevertheless, significant progress has been made and there is a reasonable likelihood that it will progress to examination and referendum. The most recent version of the Neighbourhood Plan, which has been subject to consultation, includes H1.3 and H1.4 but not H1.2.
63. There is a clear intent for the Market Lavington Neighbourhood Plan to allocate sites to meet local needs. This is consistent with the WCS in relation to Local Service Centres. In this context, the Council no longer considers any intervention to be necessary. The Neighbourhood Plan is therefore capable of meeting local needs. In addition, the scale or complexity of the development here is not such that a strategic allocation is necessarily required. Moreover,

other Neighbourhood Plans are in preparation elsewhere in the CA, such as West Lavington, which could contribute to meeting housing needs in the CA. Any resulting shortfall against the indicative CA requirement would not be significant. Deletion of these sites from the WHSAP would not have a materially harmful impact on housing delivery in the area.

64. In this context, to continue to allocate sites in the WHSAP for this area would be contrary to the aims of national policy, in particular paragraph 184 of the NPPF, which aims to give communities direct power to deliver the sustainable development they need. I therefore find that allocations H1.2-H1.4 are unsound and should be deleted from the Plan, with consequential changes to housing numbers and supporting text (**MM2, MM4, MM12, MM17-MM20**).

North and West Wiltshire HMA

Trowbridge Sites – General Issues

65. The spatial strategy for Wiltshire set out in the WCS identifies Trowbridge as a Principal Settlement and a focus for growth. The WCS establishes an indicative requirement of 6,810 dwellings, of which 1,649 were still to be identified outside the WCS. Revised expectations over the delivery of WCS allocations increased the residual needed to meet the indicative requirement to around 2,230. Even with the allocations in the WHSAP, the indicative requirement will not be achieved. For reasons given elsewhere, I do not consider it necessary for the Council to identify additional sites to meet this shortfall. However, to support the spatial strategy, and ensure a continuing supply of sustainable housing, it is still appropriate and necessary for the WHSAP to identify additional growth in this location.
66. The sites identified all constitute urban extensions. The WHSAP allocates six sites around the edge of the existing built-up area that would provide about 800 additional dwellings. Main modifications discussed below will increase this to 1,050. With appropriate mitigation in place, there is no clear evidence to suggest that the cumulative impact of these allocations, along with other growth planned for the areas, would be severe in relation to highways, local services and facilities or biodiversity. As well as specific modifications described for each site, consequential changes to housing numbers will have to be reflected in the Plan (**MM6, MM8**).
67. WCS Policy 29 states that an additional 950 dwellings only will be allowed to be developed once improved secondary school has been provided. The sites in the WHSAP are not subject to any phasing in relation to secondary school provision. Concerns have been raised over consistency with the WCS in this regard and ensuring sufficient school places exist. I am satisfied, however, that in seeking to ensure a continuing housing supply in Trowbridge, the growth envisaged would not result in unacceptable issues with school places in the medium to long-term. While delivery of the strategic allocation, and associated secondary school provision at Ashton Park, is slower than expected, there remains a reasonable degree of comfort that additional secondary school provision will be coming forward. The WHSAP and WCS also both include provision for funding contributions where necessary to provide for school improvements. Adequate provision is therefore in place for secondary school education.

68. The WHSAP makes provision for a new primary school on Elm Grove Farm (H2.1). The latest evidence suggests that a new school is no longer necessary and additional school places can be achieved in other ways. Again, with appropriate contributions toward primary school provision being made in line with WCS policy, there is no reason to conclude that there will be insufficient primary school places to meet the needs generated by development. Overall, the Plan is sound in this regard. Modifications are however needed to the supporting text to reflect the changes in circumstances in the town (**MM23**), in the interests of a justified plan.
69. Site H2.4 (Church Lane), H2.5 (Upper Studley) and H2.6 (Southwick Court) are closely related to each other and the Southwick Country Park. While all these are likely to come forward independently of each other, their close physical relationship could have particular implications, particularly for heritage, landscape, biodiversity and highway access if they do not take account of each other in terms of layout and the provision of mitigation measures. To be effective, each policy should make it clear that regard must be had to development taking place in other sites. Furthermore, both individual and cumulative effects on the Country Park must be taken into account.
70. This approach should not prejudice the delivery of each site. The recommended modifications make it clear that mitigation measures must be considered on a comprehensive and consistent basis. All this is likely to mean in practice is that schemes coming forward must have regard to other proposals in the development pipeline and ensure they are not mutually exclusive or prejudicial to each other.
71. Sites H2.1, H2.2, H2.3 and H2.6 are affected to one extent or another by the North Bradley and Hilperton Neighbourhood Plans. The North Bradley Plan is in preparation, whereas the Hilperton Plan is made. Trowbridge is identified as a Principal Settlement in the WCS and a focus for strategic growth. It is justifiable therefore for the WHSAP to identify land for growth. The scale of requirements for Trowbridge goes beyond what is likely to be identified in these Neighbourhood Plans. The cumulative scale, complexity and significance of the development – and the importance it has for delivering the WCS – justifies strategic allocations. Both Neighbourhood Plans also reflect the Council's intention to bring forward development in the locations identified in the WHSAP. The allocations are therefore sound in this regard.

Trowbridge – Site Specifics

72. Land at Elm Grove Farm (H2.1) is identified for 200 dwellings. While development would extend development into an open and undeveloped area, the site is largely contained by railway lines to the east and an industrial estate to the south-east. The site is in a relatively accessible location on the edge of the town and is suitable in principle. However, the removal of the school requirement provides some additional scope for development and the approximate capacity figure of 200 is no longer justified. The Council's revised assessment of 250 units is more appropriate and justified figure to use. Modifications to the policy and consequential changes to the housing numbers are therefore necessary.

73. The policy identifies the need for junction improvements, a new through road and improvements relating to walking and cycling. This should be sufficient to address any potential transport impacts. The supporting text already identifies the presence nearby of Grade II Listed Drynham Lane Farmhouse and the potential for archaeological remains on the site. The Grade II Listed Southview Farmhouse could also be affected by development of the site and thus should be referred to in the supporting text. These factors do not mean that development cannot proceed in principle, though clearly any proposal would have to have due regard to the setting of these assets. To be effective, the policy should identify these constraints.
74. While there is no longer any need for Policy H2.1 to safeguard land for a school, the policy still requires improvements to the existing Queen Elizabeth II field. This is justifiable, but it is necessary for the field to form part of the overall site. Figure 5.5 and the policies map should be amended to reflect this. Although sound in principle, modifications are therefore necessary, as described above, to ensure the policy is justified and effective (**MM24-MM31**).
75. Land off the A363 at White Horse Business Park (H2.2) is located to the west of the existing business park in the open countryside between the town and the village of North Bradley. The supporting text highlights several constraints that must be addressed, including the need to ensure development does not coalesce with North Bradley, that existing landscape features are retained, issues relating to bats, and the need to provide high quality development in what is a gateway site to the town. These are all justified and appropriate requirements.
76. The site contains heritage assets that could be affected by development. There is scope within the site to ensure a satisfactory form of development can take place which need not result in unacceptable harm to the setting of these assets. Nevertheless, they should be referred to in both policy and supporting text in the interests of clarity and effectiveness. The recommended main modifications highlight the particular importance of the Baptist Burial Ground. Seeking to enhance the setting of this asset does not conflict with national policy and reflects the nature of the site and the potential for development to facilitate improvements.
77. The Plan is currently silent on highway access. Safe and suitable access to the site could be achieved from the A363. Reference to this in policy would provide a degree of clarity. The need for any additional points of access could be considered as part of the comprehensive masterplanning of the site. The policy as modified does not preclude this. However, considering the constraints that exist, there is insufficient evidence to justify identifying a second access as a requirement of the policy.
78. The figure of 150 units does not reflect the most recent assessment of the site's capacity. In considering the site's heritage, biodiversity and layout constraints, a precautionary approach suggests modification to increase capacity to 175 would be justified. Provided that constraints can be addressed, this would not necessarily preclude additional dwellings coming forward through a comprehensive masterplan. Nevertheless, setting a figure too high in the Plan could result in undue pressure on heritage and biodiversity

assets. The site boundary does not reflect the accurate developable area. Accordingly, the policies map should be amended to ensure accuracy.

79. The site is in multiple ownerships. Considering the nature of the site, and the features it contains, it is reasonable for the policy to seek to ensure a comprehensive approach to development through some form of masterplan. It will be for the Council to determine the level of information it needs to provide sufficient comfort that the overall development will not result in harm and there is no reason this requirement should prejudice development. It should not be unduly difficult for developers of neighbouring plots to liaise with each other, and the Council, in preparing acceptable schemes. This also applies to other sites where similar requirements are in place.
80. The principle of development in this location is therefore sound. However, main modifications **MM32-MM39** are necessary to ensure site H2.2 is justified, consistent with national policy and effective.
81. Land adjacent to Elizabeth Way (H2.3) is allocated for 205 dwellings. This takes up land on what is known as the Hilperton Gap between the recently built Elizabeth Way distributor road and the edge of Trowbridge. While the development would result in an obvious narrowing of the 'gap' between settlements, the road is already a large and highly visible physical feature running through the gap. This constitutes a discernible degree of encroachment in the countryside and change in the character of the area. Development to the west of the road would still be well related to the edge of Trowbridge while ensuring that coalescence with Hilperton would not take place. Development here would therefore be a logical location for an urban extension.
82. Although the layout of development will be guided by constraints, there is no reason why new housing would need to appear disconnected or separate to Trowbridge. The supporting text sets out several necessary and justified requirements relating to design, layout, biodiversity, accessibility improvements and the protection of heritage assets. When given the status of policy, these requirements will provide an effective framework for determining applications and ensuring an appropriate form of development is delivered.
83. Now the road is complete, the site boundary no longer reflects the developable extent of the site. A small portion of the identified site also takes in an area of undeliverable garden space. This does not affect the delivery of the site as a whole, but the policies map should be amended to reflect this. The change to the extent of the site results in a larger area for development. This, coupled with an overly pessimistic view of capacity, means that the figure of 205 dwellings is not justified. A figure of 355 would be a more realistic assessment. Modifications **MM40-M47** are necessary to ensure the Plan is justified and effective.
84. Land at Church Lane (H2.4) is allocated for 45 dwellings. The site is made up of open fields between the edge of the settlement and the Lambrok Stream. These are recognised constraints relating to heritage, biodiversity and drainage. There is nothing to suggest that these would prejudice a high quality form of development in the northern part of the site. Any impact on these assets can be assessed by the Council at the time of an application. The

site would result in a relatively small and logical extension to an existing residential area. The principle of development here is sound.

85. Access from Frome Road is acceptable in principle, but alterations to create this access could have some effect on listed buildings. The policy for the site should therefore highlight the need for measures to minimise any associated paraphernalia. The supporting text should also make clear that development should avoid the paddock to the rear of the listed buildings. This will provide developers with necessary clarity and certainty over the scope of development.
86. To ensure effectiveness in relation to biodiversity and drainage mitigation, the site area should be extended to the stream. This will require consequential changes to the policies map. To provide certainty, the policy also needs to be explicit about expectations in design, layout and the relationship between development and heritage assets. While the allocation is acceptable in principle, main modifications **MM48-MM55** are necessary to ensure the Plan is effective and consistent with national policy.
87. Land at Upper Studley (H2.5) has been allocated for around 20 dwellings. Subject to appropriate mitigations relating to issues of design quality, biodiversity, access and drainage, the site represents a logical extension to Trowbridge and an opportunity to enhance the visual quality of the urban edge. The main constraints are familiar to all Trowbridge sites, but there is nothing to suggest development would result in unacceptable harm, either individually or in combination with other development. The allocation is therefore acceptable in principle.
88. The capacity assessment of 20 is also unduly pessimistic when considering the likely extent of the developable area. Such a restriction is not justified. A figure of approximately 45 dwellings is a more appropriate figure. Main modifications **MM56-MM61** are necessary to ensure a clear and effective policy framework is established, considering both the site's individual characteristics, but also the need to be mindful of the cumulative impacts of development occurring elsewhere nearby.
89. Southwick Court (H2.6) is allocated for around 180 dwellings. It comprises open fields on the edge of the settlement. The site is subject to several constraints relating to heritage, drainage and biodiversity. As a result, development is only suitable on the eastern part of the site. Although the Plan is silent on access, the Council has indicated a preference for access to be taken from Frome Road. This would result in a relatively long access road crossing the open part of the site. Achieving a satisfactory form of development will be challenging. Nevertheless, I am satisfied that with great care, there is scope for development on this site and thus the allocation is acceptable in principle.
90. The Council has taken the various constraints of the site into account in its selection and the supporting text identifies many of the measures necessary to deliver an acceptable form of development. These take account of the nature of land in the west of the site, the importance of the setting of the Southwick Court Farmstead, the need to retain as many of the natural features of the site as possible and the necessity to have regard to drainage

and biodiversity issues related to the Lambrok Stream and bats. In the interests of effectiveness, modifications will be necessary to elevate these matters into policy and to provide greater clarity on matters such as access, drainage and infrastructure. In all cases, further guidance and information on what will be expected from developers should be provided.

91. The delivery of the access road is clearly one of the most sensitive issues, as this would have to cross open land and would need to bridge the stream and take account of the water meadows. Nevertheless, the evidence is sufficient to support the view that, in principle, a satisfactory form of access could be provided. Notwithstanding the heritage issues with the site, Historic England has not objected to this allocation and has been in discussions about the measures that would need to be taken to ensure impacts are minimised. A suitable policy framework could be established to ensure the Council can adequately assess any impacts.
92. The gap to North Bradley would be reduced, but would still exist, particularly in relation to the football ground. The existing gap along Woodmarsh would also be maintained. The solar farms to the south do not alter this conclusion. While clearly not agricultural in nature, the solar panels do not have the character or permanence of residential development. They are also some distance from the southern extent of any likely development. As such, while there would be an inevitable change in the character of the area, the risk of coalescence between Trowbridge and North Bradley or Southwick would not be significant.
93. The proposed main modification as published for consultation includes reference to an emergency access from the north of the site. Concerns have been raised over this. The intent was to make it clear that no vehicular access other than an emergency access would be permitted from the north. The wording of the MM reflects this by stating that the only access from the north would be an emergency access. This excludes other forms of vehicular access. The wording of the modified policy could be interpreted to imply that the emergency access can only be taken from the north. This might be compounded by the modified supporting text relating to trees and hedgerows, which again implies that the emergency access would be from the north. There is a potential lack of clarity.
94. As a result, I have amended the wording of the proposed main modifications. This removes a specific reference to the 'north' in policy and supporting text. While an emergency access would be necessary, it does not have to be from the north. The amendments would not change the intent of the policy to any significant degree, as there would still be a requirement for an emergency access. My amendment simply makes it clear that an emergency access would be required. It would not preclude a proposal including an emergency access from the north but would also not stop alternatives being considered.
95. Overall, I am satisfied that with main modifications **MM62-MM67** in place the Plan will provide an effective framework for considering development of H2.6.

Warminster Sites – General

96. Overall, Warminster is a suitable location for development which supports the WCS. The WHSAP identifies four sites that would provide 235 additional

dwellings. Subject to the recommended main modifications below, the Plan will provide an additional 135 dwellings. This level of development is unlikely to result in any severe cumulative problems in relation to transport or local infrastructure. This would leave a shortfall against the indicative requirement, but for the reasons given above, there is no requirement to allocate additional sites.

Warminster Sites - Specific

97. Land at the East of the Dene (H2.7) is subject to several constraints relating to heritage assets. The site lies in the setting of the Grade II Listed Bishopstrow House and the Bishopstrow Conservation Area. There are other listed buildings in the vicinity of the site that would be affected by development. Views from Battlesbury Camp hillfort could also be affected by development. The Council's Heritage Impact Assessment (HIA) indicates that the significance of Bishopstrow House comes both from its aesthetic and architectural value, but also the extensive designed landscape that pre-dates the current house and the existing estate assets. The HIA concludes that limited development to the north west of the site would avoid harm to heritage assets.
98. The policy would allow for development in the more sensitive parts of the site in terms of the setting of Bishopstrow House and Bishopstrow Home Farm. Whilst the latter is a non-designated heritage asset, it nevertheless contributes positively to the setting and significance of the main House. To provide access to the developable part of the site would require a new access off Boreham Road. This would include the loss of a significant stretch of an existing high wall that is important to the character of the street and setting of the conservation area. The access road would also need to run through the southern part of the site, potentially having a detrimental impact on the setting of heritage assets. Even if similar measures to those described for sites H2.4 and H2.6 were considered, I am not convinced that the inevitable change in character would not result in unacceptable harm.
99. There is likely therefore to be a significant cumulative impact on the setting of both designated and undesignated heritage assets in the area. In allocating a site there should be reasonable certainty that potential impacts will be acceptable or able to be mitigated. This level of comfort does not exist, and serious doubts remain over whether a form of development would be possible that would not have an unacceptable degree of impact on the character, appearance or significance of heritage assets. This would be contrary to the requirements of the NPPF.
100. Notwithstanding the need for housing, I am not convinced that the benefit of development would outweigh potential harm in this location. The allocation of this site is therefore unjustified and contrary to national policy and it should be removed from the Plan along with consequential changes made to housing numbers (**MM5, MM21, MM70**).
101. An alternative approach to the site was put forward through consultation on further main modifications. This suggested reducing the allocation to the area to the north west and taking a new access from The Dene. This would involve the demolition of existing garages. This is a significantly different proposal that was not part of the submitted Plan, nor was it before me at the hearings.

While the evidence of the HIA suggests development in the north west corner would not result in the same degree of harm to heritage assets, the suitability and delivery of the access has not been tested through examination.

102. Addressing this new evidence would require the re-opening of the hearings. Before this could take place, further consultation would be required. There is no guarantee that following this course of action, the allocation would be considered sound. The delays this would cause to the adoption of the Plan, and the associated uncertainty in relation to housing delivery, are not justified by the level of development proposed. A review of the Local Plan is also already underway and this provides an opportunity for the revised site to be considered.
103. Land at Bore Hill Farm (H2.8) is allocated for around 70 dwellings. The site sits in undulating open ground between existing dwellings and commercial uses. The supporting text identifies an extant permission for B1 uses, which the Council wish to see included as part of any mix on the site. This site is adjacent to an existing bio-digester. There have been complaints about the odour from this facility, but there is nothing to suggest that these have been upheld or result in persistent long-term harm to the living conditions of residents. Nevertheless, while there is a reasonable likelihood that a satisfactory form of development could be achieved, it will still be necessary for any application to be accompanied by appropriate noise, dust and odour assessments to inform design and layout. This requirement needs to be set out in policy to be effective. There are no other overriding constraints on the site. The site boundary does not reflect the full developable area and should be amended in the interests of accuracy. Main modifications **MM71-MM74** are therefore necessary to ensure the Plan is justified and effective.
104. Land at Boreham Road (H2.9) is allocated for around 30 dwellings. Planning permission was granted for housing on this site on appeal and thus the principle of development has been established. There is nothing to suggest that the circumstances have changed since permission was granted, such that the site is no longer suitable for development. The site is near the Bishopstrow Conservation Area and adjacent to a Grade II Listed mile marker. Neither of these factors are an impediment to the principle of allocating the site. Modifications are necessary however to highlight the importance of heritage assets. There is however no justification to elevate the requirement to move the mile marker into policy, as this has already taken place. This reference should be removed.
105. The site is therefore in a suitable location for development, but modifications **MM75-MM78** are necessary to ensure the Plan is effective and consistent with national policy about flooding and heritage.

Warminster Community Area Remainder

106. Land at Barters Farm (H2.10) is allocated for 35 dwellings. The site forms part of a nursery and garden centre and is well related to existing dwellings in the village. Development would involve land that has been previously used for commercial purposes and would not extend to the north beyond existing dwellings on Wood Lane. There would be a reasonable buffer between the site and ancient woodland to the north. An acceptable form of access could be

achieved through Cleyhill Gardens and development would not result in a severe impact on the local transport network. Although small, development here would have the potential to help support local services and facilities of this Large Village. It would also contribute to meeting the indicative requirement for the Warminster CA Remainder and consequently the WCS. This is an acceptable location for development.

107. The Plan currently provides very little explanation as to what the Council expects on this site. While decision makers could rely to an extent on the WCS and national policy, the Plan should nevertheless be clear about any specific requirements as identified by the evidence base. This includes scale, the location of any access, the expectation that walking and cycling routes will be improved, the requirement for existing mature landscaping to be retained and enhanced and that there may be archaeological remains on site that should be assessed. As noted elsewhere, the potential for impacts on bats also needs to be highlighted. None of these factors render the site unsuitable for development. However, to be effective and consistent with other parts of the Plan, the policy and supporting text need to reflect this and explain what will be required, both in terms of assessment and mitigation (**MM79–MM81**).

Chippenham Community Area Remainder

108. Land at The Street, Hullavington (H2.11) is allocated for around 50 dwellings. This site is also being pursued through the Hullavington Neighbourhood Plan. This is at Regulation 16 stage and is likely to be going to referendum. The Neighbourhood Plan identifies a larger area for more dwellings. It may have been the case that when preparation of the WHSAP started, the Hullavington Plan was not at an advanced stage. However, as with other locations, it is inevitable that over time there are changes in context that need to be considered. In this case, the development proposed in Hullavington is neither of a scale nor complexity which suggests the WHSAP need 'intervene'. This is particularly the case where the Neighbourhood Plan already seeks to allocate the site. There are apparent inconsistencies between the two plans that would only be likely to result in confusion. Altering the WHSAP to be consistent with the Neighbourhood Plan would be neither necessary nor appropriate.
109. Allocating a site in this location is not therefore justified, particularly when the WHSAP would essentially be duplicating what is already being proposed for the area. Such an approach would also be inconsistent with paragraph 185 of the NPPF. It would also be inconsistent with the Council's position on other sites and locations in the WHSAP. To be sound, the site should be deleted from the Plan and consequential amendments made to the housing numbers and supporting text (**MM5, MM21, MM82**). There is no reason why this modification should prejudice the delivery of planned primary school expansion, which is also identified as an objective of the emerging Neighbourhood Plan.
110. Land east of Farrells Field, Yatton Kenynell (H2.12), is allocated for around 30 dwellings. Yatton Kenynell is classed as a Large Village which contains a small number of local facilities and services. The principle of development in this location is acceptable.

111. The site lies relatively close to the edge of the Cotswolds AONB, which takes in much of the village. There would be some visible encroachment into the countryside, but this need not be unduly harmful to the landscape character of the area or the setting of the AONB. Development would be well related to the edge of the village but would also be well screened by existing boundary treatments. To be effective however, the requirement to retain these should be elevated into policy along with other specific requirements, including those relating to access, improvements to cycling and walking routes and general matters of flood risk.
112. A satisfactory form of access for the scale of development proposed would not be achievable through Farrells Field. As such, reference to this should not be included in either policy or supporting text. A suitable access can be achieved directly from the B4309. To ensure certainty, this should be reflected in policy. The supporting text refers to the retention of a woodland corridor along the western boundary of the site. This extends either side of a farm track that runs along the boundary. However, this track is outside the ownership of the developer and is unlikely to form part of the development. Including this area in the site is not therefore justified. Reference to retaining the woodland should be removed from the Plan, along with any consequential changes to the policies map. Main modifications **MM83-MM88** are therefore necessary in the interests of effectiveness and to ensure the Plan is justified.

Malmesbury Community Area Remainder

113. Land at Ridgeway Farm (H2.13) is identified for around 50 dwellings. The Crudwell Neighbourhood Plan is in preparation, though had not reached Regulation 16 stage at the time of the WHSAP. Indicative requirements for the Malmesbury CA Remainder can largely be met without WHSAP allocations and thus there is no strategic imperative or necessity for the WHSAP to make strategic allocations in this Large Village. Moreover, the emerging Neighbourhood Plan has been consulted on and is at a stage where I am persuaded there is a clear commitment to progress the Neighbourhood Plan to referendum. There is also a clear intention for the Plan to include housing sites that will be capable of addressing local needs for the village. In these circumstances, the retention of the site would conflict with paragraph 185 of the Framework, which aims to give communities direct power to deliver the sustainable development they need. Accordingly, to be consistent with national policy, and with the Council's general approach to site selection, this site should be deleted and consequential changes made to housing numbers (**MM3, MM5, MM89**).

Westbury Community Remainder

114. Court Orchard/Cassways, Bratton (H2.14) is allocated for around 40 dwellings. A Neighbourhood Plan for Bratton was at the early stages of preparation at the time of the hearings. Unlike some others referred to, this Plan was not yet at a stage where it is clear whether it will progress toward referendum or whether it will allocate sites to meet local needs. As such, there is insufficient certainty or clarity about the Neighbourhood Plan to conclude that the allocation should be deleted. Scope exists for the WHSAP to 'intervene' in helping to meet the indicative needs of the CA remainder. In light of the

options considered, it is not unreasonable for the WHSAP to consider development in this Large Village.

115. The site is an open field on the edge of the village. It slopes steeply to the north and directly abuts housing fronting Westbury Road, Court Orchard and Rosenheim Rise. There is also housing directly opposite Westbury Road. While there would be some inevitable encroachment into the open countryside, development would not extend significantly beyond current built extent to the west. Development is likely to have some impact on the edge of the settlement, but with appropriate landscaping, design and layout, there is no reason to conclude that development would be unacceptably harmful to wider landscape character. In this regard, the supporting text refers to new woodland planting. Extensive woodland does not form part of the existing character of the area and thus there is no need to be this specific. Nevertheless, a new policy for the site should highlight the need for sensitive treatment of the edge of the village.
116. There is no clear evidence to suggest a safe and suitable form of access cannot be taken from the B0398. The anticipated increase in traffic should also not have an unacceptable impact on the local road network. The site is close to the Bratton Conservation Area and the Bratton Camp Scheduled Monument. There is no reason in principle why development should result in unacceptable harm to these heritage assets.
117. In the context of the character of the area, the Council has reassessed the site's capacity and concluded that 40 dwellings would result in too high a density. I agree that a figure of around 35 dwellings would allow for a more sensitive form of development. To ensure the policy is justified and effective, this figure should be used, with consequential amendments to the housing numbers (**MM6**). Although acceptable in principle, main modifications **MM90-MM95** are necessary to ensure the Plan is justified and effective. The Council consulted on a change to the boundary of the site as an additional modification. There is no evidence before me to conclude that change is necessary to make the Plan sound, and thus I have not recommended it as such.

South Wiltshire HMA

Salisbury Sites – General

118. Salisbury is identified as a Principal Settlement in the WCS and a focus for strategic growth. Considering the indicative requirement for the area, the level of growth anticipated and the overall supply provision in the SW HMA, seeking to increase housing delivery in this location is wholly consistent with the WCS. There is no clear evidence to suggest that all such needs could be met without additional greenfield development on the edge of the urban area.

Salisbury Sites - Specifics

119. Land at Netherhampton Road (H3.1) is allocated for around 640 dwellings, employment uses, a local centre, land for a two-form primary school and space for a country park. The allocation would extend the built form along Netherhampton Road into the open countryside. Nevertheless, the site is well related to the edge of Harnham and a main route into Salisbury itself. It is

adjacent to an industrial estate, which has recently had planning permission for residential development. The site was considered in relation to the WCS and was identified as a potential reserve site. It is in a suitable location to support the WCS spatial strategy.

120. While the development would significantly alter the urban edge, such impacts are an inevitable consequence of seeking to meet large housing needs in the area. The development would lead to additional pressures on roads and other local infrastructure, including schools, but as noted elsewhere this should not result in severe problems. The site is beyond a reasonable walking distance to most day-to-day facilities, but the provision of a primary school and local centre would provide some scope to reduce journeys over time. There is a bus stop some 600 metres from the site, which would provide some opportunities for public transport use. The scale of development is such that there may be opportunities for public transport to access the site directly once a critical mass has been established. Nevertheless, a development of this scale would inevitably lead to increased car use. However, the relative proximity of Salisbury and associated services, facilities and employment should help to ensure trip lengths are not unduly lengthy.
121. The requirements in relation to land for a primary school and country park are justified. There has been some criticism that a school in this location would generate additional traffic and additional journey lengths, particularly when considering the location of other development in Salisbury. However, there is logic in locating a primary school in proximity to the significant residential development envisaged on sites H3.1 and H3.3. This will reduce the need to travel from these sites and help offset any potential trip generation to the site from other developments elsewhere.
122. The policy is vague on the scale or type of employment land that may be required, with the supporting text suggesting this is something that could be addressed at the application stage. The evidence supporting the requirement for employment land on this site is not strong. Part of the justification is that the site would provide a possible location for business uses to decant from the Churchfields site allocated in the WCS. However, the Council has not identified a definitive amount of land or floorspace that would be needed. To leave this to the application stage would cause an unacceptable lack of clarity for developers trying to prepare a scheme. Furthermore, the Council has recently granted permission for the loss of employment land on the neighbouring site, which does not suggest strong evidence of demand. The lack of clear evidence supporting the need or guidance for employment uses leads me to conclude it is neither justified nor effective. There is also no evidence that would inform a main modification to provide clearer guidance. Accordingly, this element of policy should be deleted. There is nothing to suggest this would have any impact on the Council's employment land supply or strategy.
123. The policy requires provision of a local centre, but what this means in practice is not explained. While some on-site facilities on a site of this size are justified, the policy should provide some guidance about what would be expected. There is a lack of clarity about healthcare requirements, particularly in terms of whether additional provision is needed on site or whether off-site provision is acceptable. There is nothing to suggest the policy is seeking contributions

to healthcare over and above 'normal' contributions as required by the WCS, but equally there is no reason why this could not be provided on site. Modifications are needed to make it clear that contributions will be required in line with the WCS and could be used on- or off-site. This should provide a degree of comfort for developers and some flexibility in how needs are addressed.

124. As the site is in a sensitive location, the policy should also include more clarity over access arrangements and issues relating to design and layout. Restricting development to below the 75-metre contour will provide reasonable protection for nearby heritage assets, including Salisbury Cathedral, Old Sarum and Netherhampton Church. This will be supplemented by significant amounts of open space provision. Adequate protection of the Harnham Chalk Pit SSSI, Harnham Slope Country Wildlife Site and the River Avon SAC can be achieved, though modifications to policy and/or supporting text are necessary to ensure requirements are clear.
125. In conclusion, the allocation is in a relatively accessible location and, while it will have a significant impact on the character of the area, such change can take place without unacceptable harm. The site would provide a substantial number of new dwellings that will help bolster the supply of housing land in the area and go a substantial way to meeting the indicative requirements for Salisbury. Modifications **MM98-MM104** are necessary to ensure the policy provides a clear, comprehensive and effective policy, which is justified by the evidence. Consequential changes to supporting text to provide clarity will also be necessary.
126. Land at Hilltop (H3.2) is a small greenfield site on the edge of the settlement. Planning permission has already been granted and thus the principle of development has been established. The site is currently a vacant and overgrown plot that detracts from the character of the residential area. Development would relate well to the existing residential area and is suitably located for a small scheme. Although only for 10 dwellings, the development would still help to contribute to the overall strategic requirement for Salisbury without resulting in any unacceptable impacts.
127. There are still particular requirements which ought to be set out in policy. This includes addressing issues relating to the translocation of slow worms referenced in the supporting text. There appears to be ample scope to address this issue in the neighbouring country park or on other adjacent land. Such issues were considered in relation to the permitted scheme and not deemed prejudicial. The site is located on the brow of a hill and thus some care would be needed in relation to the scale of dwellings. The policy should make reference to this. However, there is no reason in principle why development here should be harmful to heritage assets. Main modifications are therefore necessary to ensure effectiveness (**MM105 & MM106**).
128. Land north of Netherhampton Road (H3.3) has been identified for around 100 dwellings. This would add to the westward growth of Harnham, but new houses would be well related to existing residential development to the east. It would also be well related to development associated with site H3.1 and could make use of any facilities that are included in that development. It is therefore an appropriate location for growth.

129. There are clear sensitivities associated with the setting of the Cathedral in this location. To be effective, the Plan should establish what measures will be expected to minimize impacts. This includes the provision of an open corridor to protect views of the Cathedral Spire, setting development back from the road and ensuring boundary treatments, landscaping and paraphernalia such as lighting and signage are properly considered. While some urbanisation of the Cathedral's setting is inevitable, there is ample scope within the site to ensure a sensitive form of development could come forward that need not result in undue harm.
130. The evidence also highlights the potential for archaeological finds on the site. This is not currently adequately addressed in the Plan and thus modifications are necessary to highlight this issue and what the Council will expect from proposals.
131. There are no other issues that would lead me to conclude the allocation of the site is not sound. Matters highlighted already in relation to the River Avon SAC, drainage, highways and other infrastructure can be resolved through the planning application process. Main modifications are therefore necessary to ensure the Plan is effective, but otherwise the principle of development is sound (**MM107–MM111**).
132. Land at Rowbarrow (H3.4) is allocated for around 100 dwellings. It comprises open fields adjacent to an existing area of recent residential development. As an urban extension, the site would have relatively good access to services by public transport. Some facilities are also available in the adjacent estate, including a local convenience store. The site slopes from the existing dwellings to an existing woodland belt. However, concerns over the impact on local character and the setting of the Cathedral could be adequately dealt with by good quality design and layout which takes account of the topography. The site boundary includes an area of woodland, which would be outside the developable area. The policies map should therefore be amended to reflect this.
133. The site is in a suitable location for additional growth and, subject to appropriate layout and design, there are no constraints sufficient to render the site unsuitable in principle. Main modifications **MM112–MM116** are necessary to ensure the policy framework for the site will be effective.
134. The Council proposed a modification to the Plan to include an additional site known as 'The Yard'. This came to light at the Regulation 19 consultation stage and was assessed in the same way as all other suggested sites. On this basis, the Council sought to include the site subsequent to the submission of the Plan. Planning permission already exists for the development. Not including this site in the Plan where the Council has accepted it is consistent with their site selection criteria would result in an inconsistent approach and would not be justified. I therefore consider that the site should be included, and a new allocation and policy created. As well as scale and access, the new policy should reflect the need for biodiversity issues relating to slow worms and barn owls to be considered in any proposal. There is no evidence to suggest either of these should be an impediment to development. Based on the evidence provided, excluding this site would not be justified. To be sound, the Plan should be modified to include the site as an allocation, with

consequential amendments to the housing numbers (**MM7, MM96, MM117-MM119**).

Amesbury, Bulford and Durrington

135. Land at Clover Lane, Durrington (H3.5) is allocated for around 45 dwellings. Permission already exists for 15 dwellings on the site. Durrington is identified in the WCS as a potential location for growth and there is a residual indicative need in the CA which this development would help to meet. The site takes up a long rectangular plot parallel to an allotment and a large recently built estate. This is a suitable location for a relatively small area of additional growth. Access would be taken from two points on Clover Lane. This would be acceptable from a transport perspective and would not have an unacceptable impact on the living conditions of existing residents.
136. The site is adjacent to the Durrington Conservation Area. With sensitive design and layout, there is no reason in principle why development should result in unacceptable harm to these assets. The supporting text sets out measures relating to the retention of trees and hedgerow bordering the site and improving links to High Street. These are justified requirements that for effectiveness should be included in a specific policy for the site. The site boundary does not reflect the full developable area and is not justified. The policies map should be amended to ensure accuracy and clarity. Main modifications **MM122-MM126** are necessary to ensure the Plan provides an effective framework for determining applications.
137. Land at Larkhill Road, Durrington (H3.6) is allocated for around 15 dwellings. The site wraps around and to the rear of an existing dwelling and to the rear of a veterinary practice. Although the site currently breaks up a largely continuous built-up frontage, infill development here need not have a significant impact on the character or appearance of the area. This part of Durrington is relatively close to the World Heritage Site, including Durrington Walls and Woodhenge. Development will therefore need to be subject to precautionary archaeological assessment. However, there is no reason why this should render development unacceptable in principle. These constraints should be reflected in both policy and supporting text. To be effective, main modifications are necessary to make it clear what will be expected in terms of scale, layout and design (**MM127-MM129**).
138. Subject to the main modifications outlined above, I am satisfied that the allocated sites are justified, effective and consistent with national policy.

Issue 3 – Are the proposed settlement boundaries justified, effective and consistent with national policy?

139. The Council has undertaken a thorough review of established settlement boundaries. This has been based on the methodology set out in Topic Paper 1: Settlement Boundary Review Methodology (TOP.01). The methodology used is logical, justified and soundly based.
140. The purpose of the settlement boundary is to illustrate the extent of the built form of the settlement. Allocations have been excluded at this stage. This is not an unreasonable approach. Allocations on the edge of settlements will inevitably include land which does not form part of the development.

Examples of this might be areas of public open space or landscape buffers. To include the whole of an allocation in advance of it coming forward would potentially include areas that would not normally be considered suitable for development under WCS policy. Over time, this could have the unintended consequence of establishing a principle in favour of development on land that was intended to act as mitigation for development delivered through the allocation. As settlement boundaries are subject to regular review, it is appropriate to wait until development is underway or complete to be able to fully ascertain where the extent of the built form lies.

141. WCS Core Policy 2 states that, subject to certain exceptions, development will not be permitted outside defined settlement boundaries. However, it cannot be reasonably asserted that this restriction would apply to sites allocated for development in an up-to-date development plan. As a result, excluding housing or employment allocations from settlement boundaries does not result in any uncertainty about whether development could proceed. The allocation establishes the principle of development and provides a greater degree of certainty about what will be expected than a generic 'windfall' policy. Excluding unimplemented allocations from settlements does not therefore prejudice developers' interests in any way.
142. Similarly, the extent of a planning permission does not always reflect the resulting built form. Using the 'redline' of an application may not lead to a suitable or consistent outcome in relation to settlement boundaries. If the settlement boundary were based on a permission that subsequently expired, then the revised settlement boundary also may not be appropriate. The context within which permissions are granted and the 'planning balance', can also change over time. If a permission expires, it is entirely appropriate for the Council to be able to reassess whether a new application would be successful. Including all unimplemented permissions within settlement boundaries would remove the Council's ability to assess this.
143. Being outside the settlement boundary would clearly not stop a scheme with planning permission being implemented. Should a new application be considered on the same site, then presumably the Council would take account of the planning history as a material consideration alongside any other relevant material considerations. Developers with extant permissions would therefore suffer no prejudice.
144. There is inevitably a degree of judgement as to where boundary lines should be drawn. These are judgements the Council is entitled to make. I am satisfied therefore that the process they have gone through is robust and judgements made are sound. There will always be some disagreement over where the line should be drawn, but these are not sufficient to render the Council's approach or conclusions unsound in principle.
145. As noted elsewhere, the policies map is not defined in statute as a development plan document and so I do not have the power to recommend modifications to it. However, to be consistent with the Plan's objectives and to ensure the development plan as a whole is effective, then changes to settlement boundaries proposed through this review as identified in EXAM.01 and WHSAP.03.02-46 and Appendix 1 of the Schedule of Further Main Modifications should be made.

146. In conclusion on this issue, I am satisfied that the proposed settlement boundaries are justified, effective and consistent with national policy.

Assessment of Legal Compliance

147. Other than in respect of the timetable for the examination and adoption of the Plan, the WHSAP has been prepared in accordance with the Council's Local Development Scheme (LDS) as updated in April 2019. There are no legal compliance failures in this regard.

148. The Council's Statement of Community Involvement (SCI) (SCI.01) was published in July 2015. I recognise that consultation in the Plan, which has taken place over several stages, has been for some people somewhat confusing and has included large amounts of technical and background evidence. Nevertheless, I am satisfied that each stage of consultation has been carried out in accordance with the SCI. This includes the focussed consultation of the Schedule of Proposed Changes and consultation on further main modifications.

149. There is a requirement in section 19(5) of the 2004 Act for local authorities to carry out Sustainability Appraisal (SA) as part of the preparation of a local plan. This is a systematic approach to identify, decide and evaluate the likely significant effects of the Plan and reasonable alternatives in order to promote sustainable development. The NPPF states that SAs should be proportionate and the process is an iterative one.

150. The main SA Report was produced in May 2018 and there have been subsequent revisions and addenda to consider the effects of the Schedule of Proposed Changes (WHSAP.03) and the effects of the further main modifications. The SA identified 12 SA objectives against which proposals were assessed. These are appropriate to the scope of the Plan, local context and national policy. Assessment of the Plan against objectives was undertaken by experienced assessors, with input from Council officers. I am satisfied the overall approach has been adequate.

151. There have been regular complaints throughout the examination about the accuracy or consistency of the scoring undertaken for individual sites. Disputes about such findings are nevertheless to be expected. These are often due to differences in planning opinion and do not undermine the SA process undertaken. Furthermore, the SA is not the only basis on which allocations have been made. The SA allows a range of considerations affecting sites to be assessed in a coherent way but does not remove the need for the exercise of judgement by the Council.

152. It has been argued that the SA is inadequate because it did not consider all reasonable options. This primarily relates to the initial sifting of sites. It is argued that the sites 'excluded' at an early stage should have been informed by the SA process. In the context of the WHSAP being a follow-up subordinate plan to the WCS, it is not unreasonable for the Council to have limited the scope of the site selection exercise. Sites rejected at Stages 1 and 2 of the Site Selection process were not considered to be 'reasonable alternatives' for the WHSAP to consider. As such, there is logic in them not having been considered through the SA and the SA is not flawed in this regard.

153. There has also been criticism of the methodology of assessing sites as 'more' or 'less' sustainable. Sites considered 'more' sustainable were generally taken forward for further assessment. Whether or not a site was considered more or less sustainable was based on a judgement. While it has been suggested this was arbitrary, there will always be elements of judgement in determining which sites should be taken forward for further consideration. This is part of the iterative process that is inherent in the SA and site selection process. There is nothing in this that would lead me to conclude the SA was inadequate in its approach. Again, this was not the only measure by which sites were considered. The whole of the evidence base was taken into account in deciding what sites to take forward for more detailed analysis and what to allocate. This also includes judgements about balancing any impacts and the benefits associated with development coming forward.
154. Overall, I am satisfied that the SA has sufficiently evaluated the reasonable alternatives and is suitably comprehensive, satisfactory and legally compliant.
155. The Habitat Regulations Assessment (HRA), as supplemented by revisions and addenda to consider modifications, conclude that the WHSAP would not be likely to have an adverse effect on the integrity of any European Designated site (HRA.01/02/02a/03). This included Appropriate Assessment of likely significant effects on Salisbury Plain SPA, BBAB-SAC and the River Avon SAC. This took into account recreational pressures, phosphates, water abstraction and potential habitat loss and deterioration. Reasonable and realistic mitigation measures have been identified, as referred to in the discussion of the main issues. Where necessary, these have been identified in the Plan and/or have been recommended for inclusion through main modifications. I am satisfied therefore that the HRA meets the relevant statutory requirements.
156. The Plan seeks to identify sites in locations well related to existing settlements. This should reduce the distance travelled to meet everyday needs. It also maximises opportunities to access services by means other than the car and seeks to bolster the vitality of rural communities in some cases. All site specific policies highlight the need and importance of addressing any potential flood risk. Where practical, they also seek to improve transport links, including walking and cycling. The WHSAP also forms part of the development plan as a whole for Wiltshire and all proposals will be considered against policies within it. Overall, in relation to those matters within the scope of the WHSAP, there are policies designed to ensure that the development and use of land contribute to the mitigation of, and adaptation to, climate change.
157. The WHSAP complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
158. In reaching the conclusion above, I have had due regard to the Public Sector Equality Duty contained in the Equality Act 2010. I do not consider that my findings will impact negatively on anyone with a relevant protected characteristic in respect of the matters identified by section 149 of the Act, neither will any part of the Plan be a barrier to providing for inclusive design and accessible environments as required by the NPPF.

Overall Conclusion and Recommendation

159. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

160. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Wiltshire Housing Site Allocation Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

S J Lee

Inspector

This report is accompanied by an Appendix containing the Main Modifications.