

WILTSHIRE HOUSING SITE ALLOCATIONS PLAN (WHSAP)

EXAMINATION

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Inspector's Initial Matters, Issues and Questions (MIQs) to the Council

This note contains the main issues that I have identified in order to determine the soundness and legal compliance of the WHSAP. This MIQs will form the basis of the hearing sessions to be held. They may also be addressed in any hearing statement. General advice about statements is contained in my guidance note.

To avoid unnecessary duplication, Questions 5.1-5.8 encompass the types of issues that I am likely to want to discuss at specific site hearings, though I recognise that some will not all be relevant to all sites. Questions 5.9 – 5.19 highlight some issues I would specifically like to see additional information on from the Council, but it should not be assumed that these are the only matters I shall wish to discuss relating to these sites. In addition, it should not be taken that if I have not asked for a specific response on a particular site that I have made up my mind or do not wish to further explore issues raised in representations.

In responding to the MIQs, there is no requirement to repeat representations or quote information that can be found in evidence documents. Cross referencing to the relevant representation or parts of the document will be sufficient.

Should, as a result of these questions, changes be proposed by the Council to any of the policies or text then these should be included in a schedule of proposed changes to the submission plan. This should be published prior to the Examination hearings.

Matter 1: Legal Compliance, Duty to cooperate, Sustainability Appraisal and consultation

Issue 1: Whether all Statutory and Regulatory requirements have been met?

- 1.1 In preparing the Plan, has the Council complied with the Duty to Cooperate required by Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended).
- 1.2 Is the WHSAP compliant with the Council's Local Development Scheme in terms of its form, scope and timing?

- 1.3 Has consultation on the Plan been carried out in accordance with the Council's adopted Statement of Community Involvement (SCI) and the minimum consultation requirements in the Regulations?
- 1.4 Has the Sustainability Appraisal (SA) been prepared having regard to the requirements of the Strategic Environmental Assessment Directive and Regulations and guidance in the PPG? Is it clear how the SA influenced the final plan and dealt with mitigation measures, and has it sufficiently evaluated reasonable alternatives?
- 1.5 Have the Habitat Regulations Assessment (HRA) and relevant addenda been carried out in accordance with the appropriate Regulations?
- 1.6 Are the policies of the Plan designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the Act?
- 1.7 Has the preparation of the WHSAP complied with the Planning and Compulsory Purchase Act 2004 Part 2 and the Town and Country Planning (Local Plan) (England) Regulations 2012 in all other respects?

Matter 2: Consistency with the Wiltshire Core Strategy (WCS)

Issue 2: Does the WHSAP make adequate provision to meet housing requirements as set out in the WCS?

- 2.1 The WCS contains housing figures at a County, HMA and settlement level. Which is the most appropriate scale at which to consider provision in order to assess consistency with the WCS?
- 2.2 Based on the most up-to-date evidence, what is the residual level of development required to meet the housing requirement identified in the WCS? What component of this is the WHSAP expected to meet?
- 2.3 Are the components of delivery identified in the Plan, including completions, committed developments and windfalls, justified and realistic?
- 2.4 In light of the above, does the WHSAP make adequate overall provision to ensure the delivery of the minimum housing requirement as set out in the WCS?
- 2.5 Is the predicted delivery of allocated sites realistic in terms of the contribution they would make through the Plan period?

Issue 3: Does the distribution of site allocations accord with the spatial strategy in the WCS?

- 3.1 Is the overall distribution of housing allocations consistent with the spatial strategy set out in the WCS?
- 3.2 Is the distribution within each HMA consistent with the WCS?
- 3.3 Is the approach set out in Stages 1 and 2 of the site selection process justified? In particular, has a consistent and justified approach been taken to excluding specific locations from the scope of the exercise, including:
 - Principal Settlements, Market Towns, Local Service Centres and Large Villages;
 - areas where housing needs in the WCS are indicated to have been met; and

- areas with made or emerging Neighbourhood Plans? (* Note, in responding to this question, the Council is requested to provide an up to date assessment of the stage each relevant Neighbourhood Plan is at in its preparation).
- 3.4 Are the differences between overall provision identified in the WHSAP and the WCS justified? Should any shortfalls in provision within particular settlements be compensated for with development in other locations?

Issue 4: Has the site selection process for housing allocations been soundly based?

- 4.1 Have the site allocations been undertaken on a consistent basis having regard to the strategic objectives and policies of the WCS, the policies of the NPPF and the evidence base?
- 4.2 Were reasonable alternatives considered and tested? Are the reasons for selecting the preferred sites and rejecting others clear?
- 4.3 Have the site allocations been made in accordance with Diagrams 2 and 3 of the Planning Practice Guidance on Flood Risk and Coastal Change, including the application of the sequential and exception tests?
- 4.4 Have the cumulative transport related implications of allocated sites been fully assessed and are measures to address them sufficiently clear and deliverable?
- 4.5 Have the cumulative effects of development on protected habitats and species? Will the plan be effective in ensuring their protection and/or mitigating any effects?
- 4.6 Have the cumulative infrastructure requirements of allocated sites been fully assessed, including the need for education facilities, and are measures to address them sufficiently clear and deliverable?

Matter 3: Housing Site Allocations

Issue 5: Are the proposed sites justified, effective and consistent with national policy?

The following questions apply to all allocations:

- 5.1 Does the plan provide sufficient detail on form, scale, access and quantity of development for each site?
- 5.2 Is the amount of development proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?
- 5.3 What is the likely impact of the proposed development on the following factors and do any of these indicate that the site should not be allocated:
 - biodiversity, in particular but not restricted to European protected habitats and species;
 - green infrastructure and agricultural land;
 - landscape quality and character;
 - heritage assets;
 - strategic and local infrastructure including transport;

- the efficient operation of the transport network, highway safety.
 - air and water quality, noise pollution, odours, land stability, groundwater and flood risk;
 - open space, recreational facilities and public rights of way.
- 5.4 In relation to the above, does the plan contain effective safeguards or mitigation measures necessary to achieve an acceptable form of development?
- 5.5 What infrastructure is critical to the delivery of each site? Where contributions are specified, are they necessary and justified by the evidence base? Is the plan sufficiently clear on how and when infrastructure provision will be required?
- 5.6 Is the site in an accessible location with good access to everyday facilities by a range of means of transport? Does the plan provide an adequate basis to address any areas of deficiency?
- 5.7 In cases where allocations do not have specific policies, is the reliance on supporting text likely to be an effective means of delivering the Council's requirements for each site? What is the justification for some sites having specific policies and some not?
- 5.8 Is the development proposed for each site deliverable in the timescales envisaged?

I expect most site specific issues can be addressed in response to Q5.1-Q5.7. However, in responding to these points, the Council is requested to ensure the following issues are specifically addressed:

- 5.9 For sites in Salisbury, will the plan be effective in preserving or enhancing the setting of the Cathedral?
- 5.10 For sites in Trowbridge, will the plan be effective in ensuring adequate protection for bat habitats? What is the status of the Trowbridge Bat Mitigation Strategy referred to in the HRA and paragraph 5.44 of the WHSAP? How will this be implemented?
- 5.11 Is it realistic to expect development within the River Avon catchment to be 'phosphate neutral'? What is the status of the Nutrient Management Plan referred to in the Memorandum of Understanding (HRA.03)? Does the WHSAP provide an effective mechanism for this to be delivered?
- 5.12 The supporting text for sites H2.4, H2.5, H2.6, H2.9 and H3.3 refers to parts of the sites being within Flood Zones 2 and/or Flood Zones 2 and 3? Is this approach consistent with national policy? Will the plan be effective in addressing drainage issues on these sites?
- 5.13 For Site H1.1, is the operation of the 'triggers' for transport and education improvements sufficiently clear and effective? What effect would the need to carry out an odour assessment have on delivery?
- 5.14 For Site H2.1, what, if any, are the implications for allocation and delivery of the site associated with Queen Elizabeth II Field?
- 5.15 For Sites H2.4, H2.5 and H2.6, has sufficient attention been paid to the and cumulative effect of development on landscape character, biodiversity and heritage assets and Southwick Country Park?

- 5.16 For Site H2.8, what effect would proximity to the Bore Hill Farm bio-digester have on delivery of the site?
- 5.17 For Site H2.9, paragraph 5.97 indicates that self-build homes would be the preferred form of development. How will the plan deliver this and is it achievable? What assurances are there that the Grade II listed milestone marker can be relocated without substantial harm?
- 5.18 For Site 3.1, is the policy sufficiently clear about the mix of development, in particular what would be expected in terms of employment land and a local centre?
- 5.19 The supporting text for Sites H3.2 and H3.5 refers to the likely need to translocate populations of slow worms to other sites? Is this approach consistent with national policy? What is the evidence that such sites exist and would be effective in providing mitigation?

Matter 4: Settlement Boundaries

Issue 6: Are the proposed settlement boundaries justified, effective and consistent with national policy?

General questions

- 6.1 What is the policy basis for use of settlement boundaries and their review?
- 6.2 Is the Council's methodology for reviewing settlement boundaries soundly based?
- 6.3 Has the review of settlement boundaries been carried out in a consistent manner across the plan area?

Specific settlements

- 6.4 For specific settlements, are there any factors which indicate the settlement boundary is not justified or effective?

Matter 5: Monitoring and Implementation

Issue 7: Does the Plan have clear and effective mechanisms for implementation, delivery and monitoring?

- 7.1 Is there a clear and robust framework for the delivery and monitoring of WHSAP policies?

Steven Lee
INSPECTOR

8 February 2019