

Chippenham Site Allocations Plan

Sustainability Appraisal (incorporating Strategic Environmental Assessment)

Adoption Statement

May 2017

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1. Introduction

- 1.1 The Chippenham Site Allocations Plan (CSAP) was adopted on 16 May 2017. Further details of the adoption process and supporting documents can be found on the Wiltshire Council website at <http://www.wiltshire.gov.uk/chippenhamsiteallocationsplan.htm>.
- 1.2 The Chippenham Site Allocations Plan is accompanied by a Sustainability Appraisal Report (SA Report) which incorporates requirements for a Strategic Environmental Assessment (SEA). This combined assessment assesses the social, economic and environmental effects of implementing the CSAP, and reasonable alternatives, with the purpose of promoting the objectives of sustainable development and ensuring their integration within the CSAP. Wiltshire Council, as the body which prepares and adopts the CSAP, is classified as the 'Responsible Authority' under the SEA Regulations. The SA process for the CSAP has been carried out independently by Atkins Ltd for Wiltshire Council.
- 1.3 SA is required by the Planning and Compulsory Purchase Act 2004 which requires consideration of sustainability effects for all emerging Development Plan Documents. European Directive 2001/42/EC (often known as the SEA Directive) requires the preparation of an environmental report that considers the significant environmental effects of a plan or programme. This Directive is transposed into UK law by *The Environmental Assessment of Plans and Programmes Regulations 2004: Statutory Instrument 2004 No. 1633* (The SEA Regulations).
- 1.4 The SEA Regulations (Reg 16) specify that *'as soon as reasonably practicable after the adoption of a plan or programme for which an environmental assessment has been carried out under these Regulations, the responsible authority shall...bring to the attention of the public...a statement containing the following particulars...*
 - a) how environmental considerations have been integrated into the plan or programme;*
 - b) how the environmental report has been taken into account;*
 - c) how opinions expressed in response to—*
 - (i) the invitation referred to in regulation 13(2)(d);*
 - (ii) action taken by the responsible authority in accordance with regulation 13(4), have been taken into account;*
 - d) how the results of any consultations entered into under regulation 14(4) have been taken into account;*
 - e) the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and*
 - f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.*
- 1.5 This information is presented in the following sections.

2. How have sustainability, and in particular, environmental considerations been integrated into the Chippenham Site Allocations Plan?

- 2.1 An integral part of preparing the Chippenham Site Allocations Plan has involved the iterative process of Sustainability Appraisal (SA). This process incorporated Strategic Environmental Assessment (SEA) and involved the following key stages:
- a) preparing a SA Report on the likely significant effects of various iterations of the draft CSAP;
 - b) carrying out consultation on the iterations of the SA Report;
 - c) taking into account the SA Report and the results of consultation in decision making; and
 - d) providing information when the CSAP is adopted and showing how the results of the environmental assessment have been taken into account.
- 2.2 The SA commenced at a very early stage in the preparation of the CSAP. SA is most effective when started as early as possible, ideally at the same time as the preparation of the plan or programme. The SA of the CSAP built on SA work previously completed for the Wiltshire Core Strategy; further information on this can be obtained from <http://www.wiltshire.gov.uk/chippenhamsustainabilityappraisal.htm>

SA Scoping Report

- 2.3 The Scoping Report was based on the SA of the Wiltshire Core Strategy. However, it was updated and refined, to be more specifically relevant to the aims of the Wiltshire Housing Site Allocations DPD and the Chippenham Site Allocations Plan. This Scoping Report culminated in a framework of sustainability objectives which were subsequently used to assess the effects of the CSAP and ensure sustainability, and environmental, considerations were embodied throughout. Reg 12 of the SEA Regulations requires decisions to be made on the '*scope and level of detail of the information*' to be included in the SA Report. The consultation bodies - Natural England, Environment Agency and English Heritage - are required to be consulted on this scoping work.
- 2.4 Consultation on the Draft SA Scoping Report was undertaken from 12 May 2014 to 16 June 2014, involving not only the three consultation bodies but also a wide range of other stakeholders. A revised version of the Scoping Report was published in August 2014 which takes account of the comments received through the public consultation exercise. The comments and responses are available to view in Appendix D of the Scoping Report¹.

SA Report

- 2.5 Various iterations of the SA Report were produced and consulted on. A Sustainability Appraisal Report has been published in stages alongside the Chippenham Site Allocations

¹ CSUS/01:

<http://www.wiltshire.gov.uk/planningpolicydocument?directory=Chippenham%20Site%20Allocations%20Plan/02CSUS%20Sustainability%20Appraisal%20%26%20Habitats%20Regulation%20Assessment&fileref=2>

Plan. The Final SA Report comprises a suite of documents which cover the different stages of the plan making process, including assessments of modifications to the CSAP recommended before and after the examination in public. Each of these documents outline the findings of the assessment of effects of reasonable alternatives, and include details of mitigation measures to reduce predicted adverse effects and measures to increase beneficial effects. Recommendations are made as to which reasonable alternatives are preferred in sustainability terms and how proposed policies could be improved.

2.6 Details of all parts of the SA Report to support the adopted CSAP are provided below. All SA documents can be accessed at:

<http://www.wiltshire.gov.uk/chippenhamsustainabilityappraisal.htm>.

- SA Report Non-Technical Summary (May 2017)
- SA Report Part One A – Chapters 1 to 6 (May 2016)
- SA Report Part One B – Review of the SA of Strategic Areas (May 2016)
- SA Report Part Two (Addendum 1) – SA of Strategic Site Options (May 2016)
- SA Report Part Three (Addendum 2) – SA of Alternative Development Strategies (May 2016)
- SA Report Part Four – SA of Proposed Modifications (May 2016)
- SA Note of Further Modifications (October 2016)
- SA Note of Inspector's Modifications (May 2017)

2.7 The SA Report originally submitted to the Secretary of State in July 2015 (composed of Chippenham SA Report Non-Technical Summary (February 2015), Chippenham Plan Draft Sustainability Appraisal Report (February 2015) and: Chippenham Site Allocations Plan Proposed Changes to Pre-submission draft Plan Sustainability Appraisal Note (July 2015)) has been amended and subsumed into the documents listed above. These documents are also available following the link above to the Chippenham Sustainability Appraisal web page.

2.8 The sustainability and environmental considerations have been integrated into the Chippenham Site Allocations Plan throughout the process. The basis for the CSAP came from the Wiltshire Core Strategy (WCS). The overarching objectives contained within the WCS and consequently the set of six criteria which were used to guide Chippenham's expansion were shaped through the WCS SA process.

2.9 The findings and recommendations outlined in the various SA Reports listed above were taken into account through the amending and finalising of the CSAP policies and site selection.

3. How has the Sustainability Appraisal been taken into account during the preparation of the Chippenham Site Allocations Plan?

3.1 The SA process has been an integral part of developing the Chippenham Site Allocations Plan, with the aim of promoting sustainable development through the integration of social, environmental and economic considerations.

3.2 The plan making process comprised of multiple stages, and each stage was accompanied by a section of the SA Report to ensure that SA has been taken into account throughout the process. Further detail on each of the stages and how the SA process was taken into

account during the plan making process is included within the CSAP Site Selection Report Enhanced Methodology².

3.3 The process of Plan making following the initial suspension of the examination hearings consisted of 10 steps:

1. Review of SA of strategic areas
2. Policy review of strategic areas
3. Identification of strategic site options
4. SA of strategic site options
5. Policy review of strategic site options
6. Identification of reasonable alternative development strategies
7. SA of reasonable alternative development strategies
8. Selection of preferred development strategy
9. SA of preferred development strategy
10. Proposed Modifications to the Plan and Revised Evidence

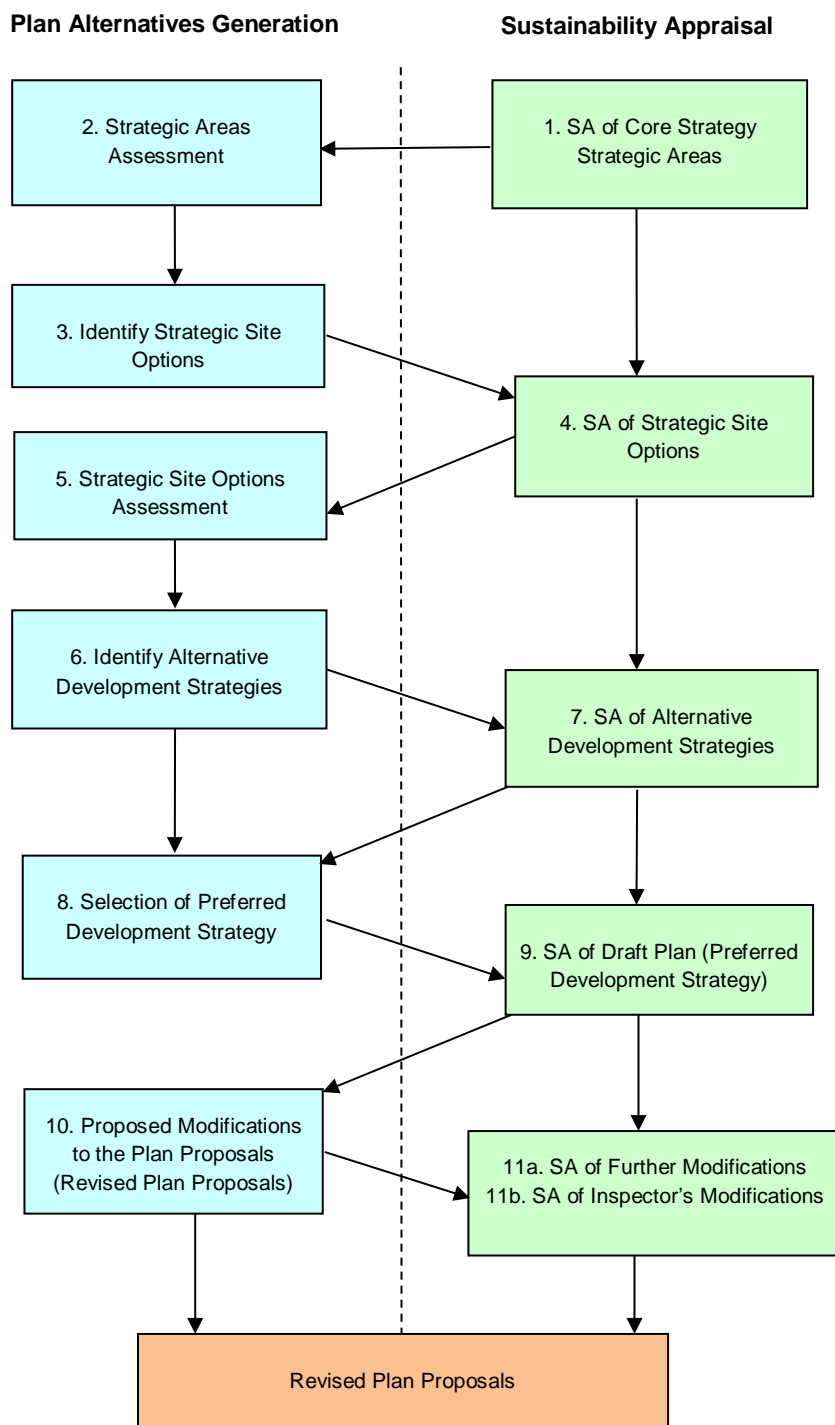
3.4 Step 10 comprised a set of Proposed Modifications to the submitted Plan which effectively presented a revised draft Plan. This revised draft Plan was the subject of examination including resumed hearings in September 2016. Following the hearings, further modifications to the Plan were proposed to the Plan in response to consultation and discussions at the hearings. These were also subject to SA review (step 11) which was published for consultation alongside the consultation on the proposed further modifications. The Inspector's Report also contained some minor further amendments to the Plan which we subsequently reviewed as part of the SA.

The relationship between the plan making and SA process steps is summarised in Figure 1 below.

² CSAP/12:

<http://www.wiltshire.gov.uk/planningpolicydocument?directory=Chippenham%20Site%20Allocations%20Plan/01CSAP%20Chippenham%20Site%20Allocations%20Plan&fileref=15>

Figure 1 – Plan Making and SA Process Steps



- 3.5 The CSAP Site Selection Report Enhanced Methodology presents the main recommendations of the SA at each stage, followed by the policy conclusions, showing how the SA assessment helped shape the plan process as it progressed. For example, an outcome of Step 4: SA of Strategic Site Options was that strategic site options A1 and C2 were identified as having a major adverse effects and were therefore not given further consideration in developing the preferred strategy (SA Report Part Two (Addendum 1) – SA of Strategic Site Options (May 2016)).

- 3.6 The SA of the draft Plan identified some adverse effects associated with the South West Chippenham allocation policy (CH1), which primarily related to environmental factors. As a consequence amended policy wording was proposed by the SA. These recommendations are shown in Appendix B of Part 4: SA of Proposed Modifications. Where relevant, the recommendations were incorporated by the Council into the CSAP. For example, the policies were amended to require development to take place in accordance with a masterplan for the site informed by detailed evidence provided by a Landscape Visual Impact Assessment, Heritage Assessment, Surface Water Management Plan and Flood Risk Assessment. Some recommendations were not incorporated, as the protection required was already included in Wiltshire Core Strategy policies and it was therefore not necessary to repeat them in the CSAP. It is considered that these changes improved the overall sustainability of the CSAP. The list of recommendations and the Council responses to them were included in the detailed assessment tables in Appendix B of Part 4 of the SA Report³.
- 3.7 Another outcome of the SA of the original draft Plan was the recommendation that two new policies should be included in the Plan. One recommendation related to Country Parks and the second related to Sustainable Transport. This led to the introduction of CH4 Chippenham Riverside Country Parks as a new policy and an additional section in the Plan on sustainable transport. A section rather than a new policy on sustainable transport was introduced to the Plan as the location of the traffic impact of growth was outside the plan area where an existing policy in the Wiltshire Core Strategy on strategic transport applied.

4. How have the results of any consultation entered into under Regulation 14(4) been taken into account?

- 4.1 Regulation 14(4) relates to where the Secretary of State receives a request from another EU Member State an indication that it wishes to enter into consultations before the adoption, or submission, of a plan or programme. No such request was received and therefore no additional consultation of this nature was undertaken.

5. How have opinions expressed in response to consultations on the Sustainability Appraisal Report with the Consultation Bodies and the public been taken into account?

- 5.1 An SA Report has been published alongside each consultation version of the Chippenham Site Allocations Plan and the Consultation Bodies and general public were invited to comment on each version. In addition, there have been several SA addendums produced in response to modifications to the Plan, both before and after the Examination in Public hearing sessions. These were also consulted on.
- 5.2 There are also a number of consultation reports detailing comments received, some of which are relevant to the SA, and how the Council responded to them. These are outlined below.
- Consultation Statement on Early Community Engagement (February 2015) including:
 - Annex A – Chippenham Site Allocations Plan: Regulation 18 Consultation Report (December 2014)

³ CSUS/16:

<http://www.wiltshire.gov.uk/planningpolicydocument?directory=Chippenham%20Site%20Allocations%20Plan/02CSUS%20Sustainability%20Appraisal%20%26%20Habitats%20Regulation%20Assessment&fileref=20>

- Annex B – Chippenham Site Allocations Plan: Report of meetings Record of initial consultation events – community and developer meetings (April 2014)
- Annex C – Chippenham Site Allocations Plan: SSAF consultation report Consultation on the Chippenham Strategic Site Assessment Framework (December 2014)
- Annex D – Chippenham Site Allocations Plan: Report of Neeld Hall event (June 2014)
- Annex E – Chippenham Site Allocations Plan: Report on the Chippenham settlement boundary review consultation Chippenham Settlement Boundary Review, Informal consultation with town and parish councils (January 2015)
- Chippenham Site Allocations Plan Pre-submission Consultation Report (July 2015)
- Chippenham Site Allocations Plan: Report of Neeld Hall event (June 2016)
- Proposed Modifications Consultation: Summary of Responses (July 2016)
- Proposed Further Modifications Consultation: Summary of Responses (May 2017)

5.3 Appendix 1 of this report shows the comments which referred to SA during the pre-submission consultation (February- April 2015), along with the officer response. Appendix 2 shows the SA comments during the proposed modifications consultation (May – July 2016). Proposed Modifications Consultation: Summary of Responses (July 2016) shows officer responses to the proposed modifications consultation and the Proposed Further Modifications Consultation: Summary of Responses (May 2017) also includes a section on the Sustainability Appraisal. The latter two documents are available on the following webpage:

<http://www.wiltshire.gov.uk/chippenhamcommunityengagement.htm>

5.4 Consultation with the Consultation Bodies and the public also took place on the SA Scoping Report from 12 May 2014 to 16 June 2014. Comments were received from Natural England and the Environment Agency. English Heritage did not reply. Consultation comments from Natural England focused on the SA framework by which the assessment should be undertaken, with recommendations for improvement to ensure that landscape and biodiversity effects are considered. Natural England also commented on the monitoring indicators so that they allow for the monitoring of the effects of the plan on the objective concerned, and not the objective more generally. The Environment Agency noted that it was satisfied with the plans and programmes, sustainability objectives and baseline data. The Environment Agency wished to continue to be involved in the SA/SEA process and with the development of the DPDs. The consultation responses, officers' response to comments and suggested actions which were then agreed by the Council are available in Appendix D of the Scoping Report⁴.

6. What are the reasons for choosing the Chippenham Site Allocations Plan as adopted, in light of other reasonable alternatives considered?

6.1 The Council has, through the SA process, considered reasonable alternatives to the policies and strategic housing and employment sites contained within the CSAP. The assessment of these, and reasons for choosing the approach outlined in the CSAP, are presented in the CSAP Site Selection Report Enhanced Methodology (see Section 3 above). The conclusions in Part One B, Part Two and Part Three of the SA Report informed the plan making process. The CSAP Site Selection Report Enhanced Methodology documents how the policy

⁴ CSUS/01:

<http://www.wiltshire.gov.uk/planningpolicydocument?directory=Chippenham%20Site%20Allocations%20Plan/02CSUS%20Sustainability%20Appraisal%20%26%20Habitats%20Regulation%20Assessment&fileref=2>

approach, development strategy and their alternatives were developed and the role the SA played in this. The CSAP Site Selection Report Enhanced Methodology⁵ also outlines the reasons for selecting the preferred policy approach in light of other alternatives considered.

7. What measures are to be taken to monitor the significant effects of the implementation of the Chippenham Site Allocations Plan?

- 7.1 The SEA Directive requires the significant environmental effects of plans and programmes to be monitored, in order to identify at an early stage unforeseen adverse effects and to be able to take appropriate action where necessary. Monitoring of significant effects will also include social and economic effects that have been predicted through the SA.
- 7.2 The requirements of the SEA Directive focus on monitoring the effects of the plan. This equates to both the plan's significant effects and also unforeseen effects. It may be difficult to implement monitoring mechanisms for unexpected effects, or to attribute such effects to the implementation of the CSAP when they occur. However, this provision may be understood as covering effects which differ from those which were predicted, or unforeseen effects which are due to changes of circumstances.
- 7.3 Details on monitoring including proposed monitoring indicators are presented in Chapter 12 of the February 2015 Sustainability Appraisal Report (CSUS/02) (see Section 2.7 above for link to all SA documents) and discussed further in Chapter 6 of the Chippenham Site Allocations Plan. Table 12.1 (Proposed Monitoring Programme) from CSUS/02 is shown in Appendix 3 of this report.
- 7.4 SEA monitoring involves measuring indicators that enable the establishment of a causal link between the implementation of the plan and the likely significant effects (both positive and negative) being monitored. It is good practice for the monitoring of significant effects to be integrated with other monitoring. For this reason, Wiltshire Council will report on significant effects as part of its existing monitoring regime.

Wiltshire Monitoring Framework

- 7.5 To monitor the implementation of the CSAP the Council already has in place the Wiltshire Monitoring Framework (WMF) which was developed to support policies in the Wiltshire Core Strategy. The WMF is reported on in the Authority Monitoring Report (AMR). In relation to Chippenham the following indicators are included based on the Wiltshire Core Strategy proposals for the community area:
 - Permissions granted or refused that support policy
 - NOMIS official labour market statistics (e.g. Ratio of resident workers to jobs).
 - % of new and converted dwellings on previously developed land.
 - Quantum of houses and employment land delivered since the start of the plan period.
- 7.6 In relation to the delivery of employment land the WMF also includes data collection on the quantum of land developed for employment by type across the whole of Wiltshire.

⁵ CSAP/12:

<http://www.wiltshire.gov.uk/planningpolicydocument?directory=Chippenham%20Site%20Allocations%20Plan/01CSAP%20Chippenham%20Site%20Allocations%20Plan&fileref=15>

- 7.7 The indicators listed above remain relevant to the delivery of the Chippenham Site Allocations Plan and will monitor the delivery of housing, employment land and the employment led strategy. In order to provide greater clarity for when a review of the Plan should be triggered and to ensure infrastructure is provided in a timely manner the following additional indicator will be added to the Wiltshire Monitoring Framework:

Indicator: Average annualised total completions from allocated sites.

Target: 162 (1,780/11) dpa.

Triggers for review (including assessing need to respond to any barriers to growth):

- a. 3 consecutive years where delivery of housing from the allocated sites fall below 162 dwellings per annum starting from 2018.
- b. Fewer than 480 dwellings built from within Chippenham site allocations by 2020.

Authority Monitoring Reports

- 7.8 The requirement for Authority Monitoring Reports (AMR) is set out in Section 35 of the Planning and Compulsory Purchase Act 2004, as amended by Section 113 of the Localism Act 2011; and Regulation 34 of The Town and Country Planning (Local Planning) (England) Regulations 2012. A report will be prepared to analyse the impacts of the policies, and assess progress against the targets identified in the Wiltshire Monitoring Framework. This AMR will include monitoring of the policies and also information relating to the Infrastructure Delivery Plan (IDP) and the SA.

- 7.9 The AMR will include the following:

- assessment of efficacy of policy using output, significant effect and contextual indicators;
- consideration of significant and unforeseen effects, using indicators defined in the SA Report, providing a picture of how the sustainability criteria of the area are evolving;
- consideration of infrastructure delivery, including analysis of Community Infrastructure Levy (CIL) and Section 106 receipts; and
- recommendations for policy review and mitigation of significant effects if required in response to the policy, SA and IDP analyses.

Chippenham Site Allocations Plan

Sustainability Appraisal (incorporating Strategic Environmental Assessment)

Adoption Statement Appendices

May 2017

Comment ID:	40	Consultee: Ms Vicky Aston Person ID: 899376	Agent: Person ID:		Is the Plan legally compliant?	Yes
					Is the Plan sound?	No
Number:		3	Identify part of Plan 1	Paragraph	Identify part of Plan 2	Paragraphs 3.4 – 3.12
Title:		Ms				
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound	<p>Sport England objects to the Objectives in 3.4 – 3.12 as they do not include an objective that includes provision for new outdoor and indoor sports.</p> <p>Sport England further objects to this section of the document for the following reasons:</p> <p>Paragraph 73 of the National Planning Policy Framework states:</p> <p>‘Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.’</p> <p>Evidence Paper 2 explains that the Council will assess recreation potential; identifying possible corridors, parks, gardens and sites/areas suitable for formal sports from natural features and topography. Identification of existing recreational assets and description of role and importance and the scope to protect and enhance them.</p> <p>Evidence Paper 2 further states that the additional population will generate demand for leisure opportunities. The Council will forecast impacts upon existing leisure facilities, anticipated need for expanded capacity and the ability to provide it.</p> <p>Sport England considers that the work identified in Evidence Paper 2 – Housing and Community facilities and identified in paragraph 73 of the NPPF (for indoor and outdoor sports facilities) should be undertaken before the Council allocates development sites and adopts its Chippenham Site Allocations Development Plan document. Otherwise there is no</p>					

	<p>opportunity for the public and other interested parties to comment on the level of sports provision and other infrastructure before the sites are allocated.</p> <p>Sport England is concerned that the Council has not completed its Playing Pitch Strategy or indoor sports facilities strategy which should provide evidence for the facilities that will be required to support the new development. Without this evidence base the policies in the Site Allocation Plan have not been 'positively prepared', the allocations may not be 'justified' and the plan may not be 'effective'. The lack of an evidence base for the required sports infrastructure means that the document is also not consistent with national policy (see paragraph 73 of the NPPF).</p> <p>Other than for policy CH1, Sport England did not identify any existing sports facilities that were likely to be adversely affected by the development. If any of the proposed developments are likely to affect any existing sports facilities</p>		
Sound changes	<p>Recommend that new objective 7 is added as follows to this section: 'Objective 7: Providing informal and formal recreation, including indoor and outdoor sports facilities, for both the new and existing population, to provide opportunities for the population to enjoy healthy lifestyles'. The Council should also complete its Playing Pitch Strategy and a sports facilities strategy covering all other sports (indoor and outdoor) and this should inform sports provision within the site allocations.</p>		
Other comments			
Attached files (Please see Objective)			
Issue	Recreation and leisure, New Objective, Playing Pitch Strategy	Relates to SA	Yes
Officer Response	A new objective as suggested is not necessary. Objective 2 providing housing supported by appropriate infrastructure is relevant. This is supported by evidence set out in Evidence Paper 2 which includes evidence on recreation and leisure.		

Comment ID:	47	Consultee: Person ID: 901000	Agent: Mr Martin Miller Terence O'Rourke Person ID: 900998		Is the Plan legally compliant?	Yes
					Is the Plan sound?	No
Number: Title:		4	Identify part of Plan 1	Paragraph	Identify part of Plan 2	Paragraphs 4.10 to 4.24
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound	<p>Paragraphs 4.10 to 4.24 summarise the methodology that has been used by Wiltshire Council to identify the strategic sites proposed for allocation in the draft DPD, further detail of which is set out in more detail in the Chippenham Site Selection Report (February 2015). Whilst we understand and share the council's desire to ensure that the most suitable sites for development are identified in the draft plan, the methodology employed was flawed, principally because it looked at the sustainability of very wide geographical areas that possess locational and topographical differences, rather than looking at individual development sites.</p> <p>With specific regard to accessibility and transport, the decision was taken to reject all potential development sites located within Area D after just an initial round of assessment by Atkins, yet all other areas were subjected to additional testing. However, the assessment assumed (wrongly in our opinion) that most of Area D was dependent upon the prior development of Area E in order to provide necessary road access, and ignored the conclusion at the end of paragraph 7.6 of the Transport and Accessibility Evidence Paper 3 (23 October 2014) that, "as with Area C, it may be viable to develop limited parts of the area as an extension to Pewsham".</p> <p>When our client's land at Forest Farm is looked at in isolation from the remainder of the land included within Area D, it is very clear from the heat maps contained in the Transport and Accessibility Evidence Paper 3 that it:</p> <ul style="list-style-type: none"> performs strongly in relation to access to secondary schools performs strongly in relation to proximity to public transport routes performs well in terms of its distance from existing congested corridors, and performs no worse in relation to its proximity to the town centre (in terms of non-motorised forms of transport), the hospital and existing employment areas than many of the sites that are proposed for allocation. <p>Indeed, had the accessibility of each strategic area been appraised in relation to its proximity to community, recreation and leisure facilities, as has been considered by the council within the Housing and Community Infrastructure evidence paper, then it is arguable that Area D would have performed very well and perhaps better in comparison to the other areas.</p> <p>Our conclusions in respect of the premature rejection of all sites within Area D are reinforced with reference to the</p>					

	<p>sustainability appraisal of the strategic options which states that:</p> <p>due to the high level nature of this assessment, it was not possible to discount any areas entirely – yet this is exactly what happened in respect of Area D</p> <p>no areas contain absolute sustainability constraints that cannot be mitigated – which confirms that Area D should have been looked at throughout the process, and</p> <p>the options perform broadly similarly against the sustainability appraisal objectives, despite them being located in different geographical areas with respective opportunities and constraints.</p> <p>In our opinion, the sustainability appraisal that has been undertaken is crude, largely because it was undertaken at a high level. It is simply not clear from the sustainability appraisal how or why:</p> <p>Area D can be considered to have significant adverse effects on the use and management of water resources (objective 3) by partly being located in flood zone 3, when Evidence Paper 6 (Flood risk and surface water management – interim report) quite clearly ranks Area D as the second preferable area behind Area A in flood risk and surface water management terms and states that it has the least risk flood area and downstream of the built-up area. In light of the evidence paper, it is equally baffling as to why Area D is given the same grading as Areas B, C and E</p> <p>Area D is considered to have significant adverse impacts on air quality throughout Wiltshire, whilst Areas A and E are considered to have none</p> <p>development in Areas C and D has significant adverse impacts on climate change and the reduction of vulnerability to future climate change effects, whilst development in all other areas has just limited effects</p> <p>the potential to reopen part of the Wiltshire and Berkshire Canal (as identified on page 10 of the Housing and Community Infrastructure evidence paper) has not resulted in Area D being shaded green when assessed against objective 6 of the sustainability appraisal</p> <p>Area D is not considered to be able to deliver the same provision of high quality employment land and diverse employment opportunities that other areas of Chippenham can, such as Areas B and C. However, this conclusion appears to be incorrectly predicated on the fact that Areas B and C are already served by the extensive and expensive transport infrastructure that is proposed to accompany development in these areas, rather than assessing each area as it exists now. Similarly, it is not clear how each area can be considered to differ in terms of “diverse employment opportunities” when detailed proposals for individual buildings or specific employers do not exist.</p> <p>In light of the above analysis, we consider that the council’s decision to reject all development possibilities within Area D at an early stage in the assessment methodology has meant that the council has failed to consider reasonable alternatives and has not properly considered the potential for Forest Farm to contribute to the sustainable development of the town. Ultimately, the site actually performs well against the Core Policy 10 objectives and the social, economic, environmental and deliverability benefits of allocating this site alongside or in place of the sites currently proposed for allocation, have simply been overlooked.</p> <p>In accordance with previous submissions made to the council, our client’s land at Forest Farm, Chippenham, has significant potential to be developed for an attractive mixed-use development comprising up to 700 dwellings and two hectares of employment land for B1 offices and starter / small business units, open space and community facilities, without needing the</p>
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	<p>prior provision of overly expensive or extensive infrastructure.</p> <p>We do not consider that the site-selection methodology adopted by the council was sound, and that the resulting allocation of the council's preferred sites has not been justified when considered against reasonable alternatives, based on proportionate evidence.</p>		
Sound changes	<p>In order for the plan to be sound, the council needs to revisit both the Site Selection process and the sustainability appraisal in light of the availability of land at Forest Farm, which represents a reasonable alternative site to those that are proposed for allocation. Either the Site Selection process needs to be re-run from first principles without rejecting Area D prematurely, or land at Forest Farm needs to be the subject of a stand-alone transport and accessibility assessment and compared on a level playing field to the sites that are proposed for allocation by the council. The sustainability appraisal also needs to be revisited from first principles in light of the information contained in the six background evidence papers, with land at Forest Farm re-assessed on a level playing field against the sustainability benefits of the sites that are proposed for allocation.</p>		
Other comments			
Attached files (Please see Objective)			
Issue		Relates to SA	Yes
Officer Response	<p>The methodology follows the approach established in the Wiltshire Core Strategy. The selection of preferred strategic areas and sites is explained in a site selection report. Area D was not rejected after just an initial assessment. The area was reconsidered at each stage in the selection of three preferred areas informed but not determined wholly by the result of sustainability appraisal. Other evidence, for instance transport evidence, shows this area performed the least well of all areas and that a southern link road through this area also performed much less well than eastern route.</p>		

Comment ID:	48	Consultee: Person ID: 901000	Agent: Mr Martin Miller Terence O'Rourke Person ID: 900998		Is the Plan legally compliant?	Yes
					Is the Plan sound?	No
Number: Title:		Policy CH 1	Identify part of Plan 1	Policy CH 1 (South West Chippenham)	Identify part of Plan 2	
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound	<p>In highway terms, the proposed allocation site has good road and public transport links into the town centre and to the strategic road network, and in landscape terms, development can be accommodated in the western area with relatively low visual impact. However, compared to other sites, accessibility from the site to existing secondary schools is weak, and the development must also provide a pedestrian and cycle route across the River Avon connecting to the town centre, which is likely to be a considerable infrastructure cost. In our opinion, the site does not score well when assessed against objectives 3 and 4 of Wiltshire Core Strategy Core Policy 10 pertaining to improving connectivity, reducing traffic impacts and improving access to sustainable transport. In contrast, the sustainability appraisal judges Area E to have, “no adverse impacts or sustainability constraints” to reducing the need to travel and promoting more sustainable transport choices. We therefore question the conclusions of the sustainability appraisal in this respect.</p> <p>Paragraph 173 of the National Planning Policy Framework (NPPF) requires plans to be deliverable. The sites and the scale of development identified in the draft Site Allocations DPD should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. Paragraph 177 of the NPPF states that it is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion.</p> <p>According to policy CH1, the final 20% of the development (200 houses) cannot be completed until the Cocklebury Link Road has been provided and open for use. This road is not located within the South West Chippenham allocation, but instead is an essential component of both the North Chippenham allocation (for which a resolution to grant permission has been made but a planning permission has yet to be issued) and the proposed Rawlings Green allocation, as the road will eventually link the A350 with Monkton Park. Indeed, according to policies CH2 and CH3, the opening of the Cocklebury Link Road is also critical to the delivery of the final 450 dwellings at Rawlings Green and the final 450 dwellings at East Chippenham. This one road link is therefore crucial to the delivery of 1,100 houses (44% of the total allocations in the plan) and its non-delivery would clearly have very significant impacts on the deliverability of the sites identified in the draft plan.</p> <p>At the Wiltshire Core Strategy public examination, Wiltshire Council and Barratt Homes (the Rawlings Green developer)</p>					

	<p>prepared a Statement of Common Ground and an accompanying Addendum, which stated that:</p> <p>there should be a new link road connection between Parsonage Way and Cocklebury Road via a new vehicular bridge over the railway line (the Cocklebury Link Road)</p> <p>the land required to deliver the link road was in the ownership of Wiltshire Council</p> <p>it was Barratt Homes' intention to submit an outline planning application by December 2013</p> <p>both parties were committed to facilitating the early delivery of the bridge, the Cocklebury link and the road connections between the two</p> <p>development would commence from the Cocklebury Link end and that the precise number of dwellings to be served via the Cocklebury Link prior to the completion of the brief would be determined at the planning application stage, but at the time of compiling the statement, in the order of 100 homes was appropriate.</p> <p>Research by Wilsons into land ownership in Parsonage Way has revealed that in February 1992, Mr Robert Edward Scott-Ashe sold the land over which Parsonage Way now runs to Wavin Plastics Ltd (see attached document). Under Schedule 2 of the conveyance, Mr Scott-Ashe reserved a right of way over Parsonage Way for the benefit of his retained land, as well as a right to connect to Parsonage Way. A copy of Wavin Plastics Ltd's registered title (WT110879) reveals that the highway does not extend to the boundary of Wavin Plastics Ltd's land. The conveyance provides that the right to connect to Parsonage Way ends when Parsonage Way is adopted. Given that Wiltshire Council has adopted Parsonage Way there is no longer any right to connect to it. Consequently, in the absence of any agreement with Wavin Plastics Ltd, the developers of Rawlings Green have no legal right to enter onto Wavin Plastics Ltd's land, nor to connect to Parsonage Way.</p> <p>In addition, Wilsons is not aware of any evidence that the developers of Rawlings Green benefit from any rights of way over the abandoned railway line to Darcy Close, nor over the river from Rawlings Green to the land proposed for allocation under Policy CH3 at East Chippenham.</p> <p>Unless satisfactorily resolved, these legal issues are likely to prevent the delivery of the Cocklebury Link Road, rendering the final 200 dwellings at South West Chippenham undeliverable. Furthermore, we note that whilst there is a cap of 800 dwellings that can be constructed prior to the construction of the Cocklebury Link Road, there is no such cap on the quantum of employment land that can be occupied.</p> <p>In view of the above, we consider policy CH1 to be unsound when tested against paragraphs 173 and 177 of the NPPF. We do not consider the site's development for the level of proposed development to be justified when considered against reasonable alternatives, based on proportionate evidence. Because of significant infrastructure requirements, many of which are beyond the control of the landowners or developers, the full extent of the proposed allocation may also not be deliverable, thereby failing the test for policies being effective.</p>
Sound changes	<p>In order to make the policy sound, the scale of this allocation should be reduced by 200 units and land at Forest Farm (see attached plan) - which is available, suitable and deliverable within the next five years - should be allocated for mixed-use development. The allocation of this land will help to offset the potential loss of houses at South West Chippenham, Rawlings Green and East Chippenham which is likely as a result of difficulties associated with the delivery of essential road</p>

	<p>infrastructure.</p> <p>Forest Farm is located on existing bus routes to Chippenham and other local towns and villages, it is located close to Abbeyfield School, it has excellent links to local facilities and services in Pewsham and occupies land that is not prone to flooding. In accordance with previous submissions made to the council, Forest Farm has significant potential to be developed for an attractive mixed-use development comprising up to 700 dwellings and two hectares of employment land for B1 offices and starter / small business units, open space and community facilities, without resulting in significant landscape impacts or needing the prior provision of overly expensive or extensive infrastructure. Although the council has rejected the prospect of any development within Area D, Forest Farm actually performs well against the criteria that have been identified as the basis for identifying sites.</p>		
Other comments			
Attached files (Please see Objective)	3391745		
Issue	Site selection; SA; CH1, CH2	Relates to SA	Yes
Officer Response	<p>In the SA access to secondary schools is one of several considerations. The SA has not revealed fundamental differences between any of the strategic areas in terms of the effects reported under each of the SA objectives. Differences are in the margins. However, in overall terms Area E ranks top of the strategic areas because of its better assessment than other areas on objectives 1 and 3. It also has the least scope for adverse impacts. In the selection of a preferred area, Area E performs well in terms of delivering jobs, flood risk and visual impact. It has no exceptional development costs in terms of road infrastructure. CH1 SW Chippenham is deliverable, Access to the town centre through the country park area is not solely reliant upon the provision of a new footbridge across the River. Independent assessment concludes the site is viable. Forest Farm is located within Area D. In the SA Area D is the worst performing area. Overall, Area D is the least logical extension to the town.</p> <p>CH2 Rawlings Green development is deliverable. Independent assessment concludes that the site is viable. There is broad agreement of the principles involved in bringing the site forward that includes third party land owners such as Wiltshire Council, Wavin Plastics Ltd and Network Rail. There are no insurmountable hurdles to delivery. There is a reasonable prospect that planned infrastructure such as the Cocklebury Link Road will be delivered in a timely fashion. The proposals are therefore consistent with NPPF.</p>		

Comment ID:	49	Consultee: Person ID: 901000	Agent: Mr Martin Miller Terence O'Rourke Person ID: 900998		Is the Plan legally compliant?	Yes
					Is the Plan sound?	No
Number:		Policy CH 2	Identify part of Plan 1	Policy CH 2 (Rawlings Green)	Identify part of Plan 2	
Title:						
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound		<p>Paragraph 173 of the National Planning Policy Framework (NPPF) requires plans to be deliverable. The sites and the scale of development identified in the draft Site Allocations DPD should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. Paragraph 177 of the NPPF states that it is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion.</p> <p>Firstly, we question whether the site is realistically deliverable given a number of constraints and obstacles to development. The development of this site is, in part at least, dependent upon development taking place at North Chippenham and the provision of a suitable highway connection to the A350. Without this connection, nearly all traffic to or from Rawlings Green would need to route via Cocklebury Road and the town centre in order to connect with the Primary Route Network.</p> <p>The highway connection to the A350 is planned as part of the proposed North Chippenham development, which has received a resolution to grant planning permission for up to 750 dwellings from Wiltshire Council, but for which the required section 106 legal agreement has yet to be signed. As the delay in signing the legal agreement continues, its delivery must be increasingly in doubt.</p> <p>In addition to the link to the A350 outlined above, the development at Rawlings Green is reliant on the creation of the Cocklebury Link Road, which must be open for use before the completion of 200 dwellings.</p> <p>At the Wiltshire Core Strategy public examination, Wiltshire Council and Barratt Homes (the Rawlings Green developer) prepared a Statement of Common Ground and an accompanying Addendum, which stated that:</p> <p>there should be a new link road connection between Parsonage Way and Cocklebury Road via a new vehicular bridge over the railway line (the Cocklebury Link Road)</p> <p>the land required to deliver the link road was in the ownership of Wiltshire Council</p> <p>it was Barratt Homes' intention to submit an outline planning application by December 2013</p> <p>both parties were committed to facilitating the early delivery of the bridge, the Cocklebury link and the road connections</p>				

	<p>between the two development would commence from the Cocklebury Link end and that the precise number of dwellings to be served via the Cocklebury Link prior to the completion of the brief would be determined at the planning application stage, but at the time of compiling the statement, in the order of 100 homes was appropriate.</p> <p>Research by Wilsons into land ownership in Parsonage Way has revealed that in February 1992, Mr Robert Edward Scott-Ashe sold the land over which Parsonage Way now runs to Wavin Plastics Ltd (see attached document). Under Schedule 2 of the conveyance, Mr Scott-Ashe reserved a right of way over Parsonage Way for the benefit of his retained land, as well as a right to connect to Parsonage Way. A copy of Wavin Plastics Ltd's registered title (WT110879) reveals that the highway does not extend to the boundary of Wavin Plastics Ltd's land. The conveyance provides that the right to connect to Parsonage Way ends when Parsonage Way is adopted. Given that Wiltshire Council has adopted Parsonage Way there is no longer any right to connect to it. Consequently, in the absence of any agreement with Wavin Plastics Ltd, the developers of Rawlings Green have no legal right to enter onto Wavin Plastics Ltd's land, nor to connect to Parsonage Way.</p> <p>In addition, Wilsons is not aware of any evidence that the developers of Rawlings Green benefit from any rights of way over the abandoned railway line to Darcy Close, nor over the river from Rawlings Green to the proposed allocation land under Policy CH3 at East Chippenham.</p> <p>Unless satisfactorily resolved, these legal issues plus the deliverability and cost issues associated with developing a new road bridge over the railway are likely to prevent the delivery of the Cocklebury Link Road, rendering the final 450 dwellings at Rawlings Green undeliverable. Furthermore, we note that whilst there is a cap of 200 dwellings that can be constructed prior to the construction of the Cocklebury Link Road, there is no similar cap on the quantum of employment land that can be occupied.</p> <p>The successful development of Rawlings Green therefore seems reliant on significant road infrastructure being provided in a timely manner, and on reaching favourable agreements with the North Chippenham developers, Network Rail and Wavin Plastics Ltd. In our opinion, these unresolved pre-requisites make the Rawlings Green allocation a high-risk development site, with the failure of any element resulting in the non-deliverability of the site and non-compliance with Core Policy 10 of the Wiltshire Core Strategy.</p> <p>In transport and congestion terms, the site is located relatively close to known congested road corridors, which strongly suggests the potential for unacceptable traffic impacts to arise upon the existing road network. Whilst the development will assist in the delivery of a strategic link road from the A350 to the A4, the development will result in some impact upon these corridors. Due to the high cost of on-site infrastructure, funding for off-site improvements is therefore likely to be limited and these impacts may be unmitigated.</p> <p>The council's Site Selection Report identifies that the site has the potential to create sustainable transport links, as it is "reasonably well located in relation to the town centre". However, "the site's location will inevitably place strains upon existing traffic corridors into and out of the existing built up area, parts of which are already congested" (page 35). It continues to state, "the completion of new traffic routes including a bridge over the railway will do much to address such problems and ultimately should improve existing conditions. This new road infrastructure therefore needs to be provided as soon as</p>
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	<p>possible". Therefore, any improvements are predicated on achieving the road links, and that without them, the site is not suitable for development.</p> <p>The delivery of the roads will affect the sustainability appraisal gradings. For example, under objective 4, the development of Rawlings Green is currently considered to have a "limited adverse impact" on air quality. However, this is based on congestion in the town centre being, "relieved through the provision of the Cocklebury Road Link and Railway Bridge which will ease congestion and any negative effects upon the air quality within Chippenham". Similarly, under objective 5, the site is currently judged to have limited impact on minimising impact of climate change, which might not be correct without the essential road infrastructure. Clearly, the non-deliverability of the road infrastructure would undermine the site's ability to meet objective 5 of core policy 10.</p> <p>In landscape terms, the Site Allocations Plan notes that Area B Rawlings Green, "is a prominent area where development may have a wide landscape impact. Detrimental effects would need to be mitigated by an appropriate design and layout. Within Area B a site option for a low density of development and extensive strategic landscaping is identified for development at Rawlings Green....." (paragraph 4.19).</p> <p>The Site Selection Report 2015 identifies that " Area B is the most prominent in the wider landscape. The impact of development would be difficult to mitigate because of the area's raised position (criterion 5). Therefore development would extend the urban edge of the town into countryside in a way that is potentially the most visible over the widest area (paragraph 4.7) ".</p> <p>Evidence Paper 4 (The Landscape Setting Assessment, 2014) is noted to have been carried out to inform the preparation of the Chippenham Sites Allocation Plan, by identifying the key landscape and visual characteristics of land around Chippenham and the key sensitivities and capacity of the settlement's landscape setting, and the setting to some of the outlying villages to accommodate development. Each area is scored under a series of headings including landscape and visual quality, landscape sensitivities and development capacity. In particular, the following is noted with respect to Area B:</p> <p>Capacity to preserve or enhance landscape characteristics - Given the area's visual prominence it would be difficult to develop this area without adversely affecting the rural and remote character and increasing the visual prominence and urban influence of Chippenham</p> <p>Encroachment of development -Development on this strategic area, which would be difficult to mitigate, would increase urban influences and reduce the sense of separation, tranquillity and remote character present in the village, the surrounding PRow network and rural lanes</p> <p>Opportunities to repair urban fringes and approaches to Chippenham –....Development of this strategic area would make the urban edge of Chippenham more prominent in the wider landscape..... It would be difficult to mitigate the landscape and visual effects of development in this strategic area.</p> <p>Development Capacity - This is a visually prominent landscape on higher ground than the adjacent River Avon floodplain. It currently retains a rural character and is important in providing a rural setting to Chippenham. Development in this strategic area would be prominent from the wider area and given the sloping landform difficult to screen or fully mitigate.</p> <p>It is clear from the above extracts from the council's Evidence Paper 4 that Area B is particularly unsuitable for development in</p>
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	<p>landscape terms. Enderby Associates has undertaken its own landscape assessment of the proposed allocation on behalf of Gleeson Strategic Land, and has found that:</p> <p>Area B has a strong relationship with the wider rural landscape that extends east to Tytherton Lucas and beyond, both in terms of visual connectivity and shared landscape character. Proposed built form in this location would introduce a new urban element and be at complete variance to river valley setting</p> <p>The area is crossed by three Public Rights of Way [CHIP44, LBUR1 and LBUR3] and each of these has attractive open rural views across the Avon Valley and beyond to the limestone ridge at Wick Hill</p> <p>Area B is visible from the network of Public Rights of Way to the east of the area in the vicinity of Tytherton Lucas [e.g. BREM39] – these footpaths are used by local residents with a proprietorial interest in their visual amenity. We note that in many of these views the urban edge of Chippenham is either not visible or predominantly screened by mature vegetation. The visibility of Area B - particularly the southern and central parts - is increased by the lack of boundary vegetation and the landform, which slopes towards the east</p> <p>Area B is also highly visible from lengths of the National Cycle Route 403, particularly from the bridge over the River Avon. Given the high sensitivity of this recreational route, we also note the importance given to views from ‘bridges over the Avon’ in the section ‘Key Views management strategy’ detailed for Landscape Character Area 11 ‘Avon Valley Lowlands’ [p.35 North Wiltshire Landscape Character Assessment, 2004].</p> <p>In addition, the pre-submission draft plan stipulates that a strategic landscape scheme for the development must deliver some seemingly impossible objectives, given the site’s prominence. For example, it must:</p> <ul style="list-style-type: none"> create a bold landscape structure retain and reinforce planting along the edges of Chippenham (and along the North Wiltshire Rivers Route) to filter and reduce views of the urban edge, and extend and manage linear woodlands to assist with screening. <p>Even with these ambitious landscape proposals in place, we question whether this will be sufficient to ameliorate against the landscape impact of development on the northern area of Chippenham.</p> <p>The sustainability appraisal considers the development of the site will have a “limited adverse impact” on landscape (objective 7) with “mitigation considered achievable”. This is considered generous given the site’s prominence in landscape terms. In Enderby Associates opinion, the site should more appropriately be assessed as having “significant adverse impact”, with “sustainability issues: mitigation considered problematic”. It is therefore considered that the site performs poorly against objective 5 of Core Policy 10 minimising landscape impact and protecting natural, historic and built environment.</p> <p>In view of the above, we consider policy CH2 to be unsound when tested against paragraphs 173 and 177 of the NPPF. We do not consider the site’s development for the level of proposed development to be justified when considered against reasonable alternatives, based on proportionate evidence. Because of significant infrastructure requirements, many of which are beyond the control of the landowners or developers, the full extent of the proposed allocation may also not be deliverable, thereby failing the test for policies being effective.</p>
Sound changes	In order to make the plan sound and to safeguard against the high risk of non-delivery of Rawlings Green as well as the

	<p>potential loss of houses at South West Chippenham and East Chippenham, Wiltshire Council should allocate land at Forest Farm - which is available, suitable and deliverable within the next five years - for a mixed use development of up to 700 dwellings, two hectares of employment land for B1 offices and starter / small business units, open space and community facilities. Forest Farm (see attached plan) is located on existing bus routes to Chippenham and other local towns and villages, it is located close to Abbeyfield School, it has excellent links to local facilities and services in Pewsham and occupies land that is not prone to flooding. In accordance with the council's own assessment and that of Enderby Associates, Area D is a more acceptable location for development in landscape terms than Area B within which Rawlings Green is located. Although the council has rejected the prospect of any development within Area D, Forest Farm can be delivered without needing prior provision of overly expensive or extensive infrastructure and it actually performs well against the criteria that have been identified as the basis for identifying sites.</p>		
Other comments			
Attached files (Please see Objective)	3391747		
Issue		Relates to SA	Yes
Officer Response	<p>Development is deliverable. Independent assessment concludes that the site is viable. There is broad agreement of the principles involved in bringing the site forward that includes third party land owners such as Wiltshire Council, Wavin Plastics Ltd and Network Rail. There are no insurmountable hurdles to delivery. There is a reasonable prospect that planned infrastructure such as the Cocklebury Link Road will be delivered in a timely fashion. The proposals are therefore consistent with NPPF.</p> <p>Recognising the prominence of the site the Plan proposes a lower density of housing development and precludes large and visually obtrusive buildings. A masterplanning process to be adopted in bringing the site forward will provide an effective means of ensuring in detail that landscape constraints affecting the site will be resolved.</p>		

Comment ID:	50	Consultee: Person ID: 901000	Agent: Mr Martin Miller Terence O'Rourke Person ID: 900998		Is the Plan legally compliant?	Yes
					Is the Plan sound?	No
Number: Title:		Policy CH 3	Identify part of Plan 1	Policy CH 3 (East Chippenham)	Identify part of Plan 2	
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound	<p>Paragraph 173 of the National Planning Policy Framework (NPPF) requires plans to be deliverable. The sites and the scale of development identified in the draft Site Allocations DPD should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. Paragraph 177 of the NPPF states that it is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion.</p> <p>Firstly, connections into the East Chippenham area are dependent upon new link roads, created by development at North Chippenham (link to the A350), at Rawlings Green (the Cocklebury Road link) and through the provision of a bridge across the River Avon. Until there is an attractive direct link to the A350, through an eastern link road, there could be a delay in the provision of employment generating development. In addition, the infrastructure required as part of Rawlings Green in the form of the Cocklebury Link Road and the provision of a new bridge over the railway line could significantly delay the development process for that site, which would then have a consequential impact for the progress being made at East Chippenham.</p> <p>Wiltshire Council has proposed this site for allocation on the premises that large scale infrastructure provision will come forward at North Chippenham and that the Rawlings Green development is deliverable without being reliant on third party agreements. This is a high-risk strategy that could significantly hold up the delivery of homes in the short to medium term. At the Wiltshire Core Strategy public examination, Wiltshire Council and Barratt Homes (the Rawlings Green developer) prepared a Statement of Common Ground and an accompanying Addendum, which stated that:</p> <p>there should be a new link road connection between Parsonage Way and Cocklebury Road via a new vehicular bridge over the railway line (the Cocklebury Link Road)</p> <p>the land required to deliver the link road was in the ownership of Wiltshire Council</p> <p>it was Barratt Homes' intention to submit an outline planning application by December 2013</p> <p>both parties were committed to facilitating the early delivery of the bridge, the Cocklebury link and the road connections between the two</p>					

	<p>development would commence from the Cocklebury Link end and that the precise number of dwellings to be served via the Cocklebury Link prior to the completion of the brief would be determined at the planning application stage, but at the time of compiling the statement, in the order of 100 homes was appropriate.</p> <p>Research by Wilsons into land ownership in Parsonage Way has revealed that in February 1992, Mr Robert Edward Scott-Ashe sold the land over which Parsonage Way now runs to Wavin Plastics Ltd (see attached document). Under Schedule 2 of the conveyance, Mr Scott-Ashe reserved a right of way over Parsonage Way for the benefit of his retained land, as well as a right to connect to Parsonage Way. A copy of Wavin Plastics Ltd's registered title (WT110879) reveals that the highway does not extend to the boundary of Wavin Plastics Ltd's land. The conveyance provides that the right to connect to Parsonage Way ends when Parsonage Way is adopted. Given that Wiltshire Council has adopted Parsonage Way there is no longer any right to connect to it. Consequently, in the absence of any agreement with Wavin Plastics Ltd, the developers of Rawlings Green have no legal right to enter onto Wavin Plastics Ltd's land, nor to connect to Parsonage Way.</p> <p>In addition, Wilsons is not aware of any evidence that the developers of Rawlings Green benefit from any rights of way over the abandoned railway line to Darcy Close, nor over the river from Rawlings Green to the proposed allocation land at East Chippenham.</p> <p>Unless satisfactorily resolved, these legal issues are likely to prevent the delivery of the Cocklebury Link Road, rendering the final 450 dwellings at East Chippenham undeliverable.</p> <p>In landscape terms, the Site Allocations Plan notes that Area C, "especially north of the cycleway, represents an area that is open and, like Rawlings Green, will have a wider landscape impact. This area has no obvious features that form a logical natural boundary" (paragraph 4.21). The Site Selection Report 2015 states that "development in this area would also need to avoid extending the town to a point that there are unacceptable impacts upon the character and setting to the villages of Tytherton Lucas and East Tytherton" (paragraph 4.9). Potential negative impacts and constraints include "development in this Area has the potential to reduce separation between Tytherton Lucas and Chippenham which would reduce its remote and tranquil character. In addition development would be visually prominent from surrounding high ground and could make this edge of Chippenham considerably more notable in the surrounding countryside" (criterion 5).</p> <p>Evidence paper 4 (The Landscape Setting Assessment, 2014) has been carried out to inform the preparation of the Chippenham Sites Allocation Plan, by identifying the key landscape and visual characteristics of land around Chippenham and the key sensitivities and capacity of the settlement's landscape setting, and the setting to some of the outlying villages to accommodate development. A large part of Area C is also unsuitable for development as indicated by the following Evidence Paper extracts:</p> <p>Encroachment of development - This Strategic Area is generally flat with long views possible across the landscape..... Development in this Strategic Area has the potential to reduce separation between Tytherton Lucas and Chippenham, which would reduce its remote and tranquil character. In addition development would be visually prominent from surrounding high ground and could make this edge of Chippenham considerably more notable in the surrounding countryside</p> <p>Development Capacity - This is a landscape which is strongly associated with the Rivers Avon and Marden....Across much of this Strategic Area development would increase the prominence of the eastern edge of Chippenham and reduce the rural and</p>
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	<p>remote character of the landscape and of Tytherton Lucas as well as being prominent in views from the limestone ridge. Any development that does take place within this landscape would need to seek to avoid the highest ground.... Large scale woodland is not characteristic of this landscape but would be required to adequately screen large scale employment development.</p> <p>Enderby Associates has undertaken its own landscape assessment of the allocation on behalf of Gleeson Strategic Land. This assessment confirms that a large part of Area C is unsuitable for development in landscape and visual terms, as described below:</p> <p>Whilst Area C has associations with both the adjacent urban and rural landscape, and proposed built form in this location would not introduce a completely new urban element into the landscape, it would result in the loss of open river valley landscape, and further erosion of the rural character of the surrounding countryside, as highlighted in The Chippenham Landscape Setting Assessment (December 2014)</p> <p>The area is crossed by three Public Rights of Way [BREM38, BREM39, and CHIP107] with some attractive open rural views across Area C, and the wider Avon Valley and beyond to the limestone ridge at Wick Hill and Bencroft Hill</p> <p>Area C is visible from elevated viewpoints on the limestone ridge to the east, at locations between Bencroft Hill and Wick Hill</p> <p>Area C is also highly visible from several long lengths of the National Cycle Route 403, including views from the bridge over the River Avon</p> <p>From these observations, it would appear that development on the sloping fields immediately below (north of) Hardens Mead would be acceptable from a landscape perspective. Development should not extend beyond the vegetated field boundaries at the foot of this slope on to the level fields around Harden's Farm to ensure that the open river valley landscape character is preserved and that the urbanising influence on the wider countryside is minimised</p> <p>It is evident that development elsewhere in Area C would not be acceptable in landscape and visual terms – in particular, north of the National Cycle route 403, north of which the landscape character is distinctly rural nor should development extend (as proposed in the plan for Strategic Area C) on to the higher land around Abbeyfields school, as noted in Council's own study underlined above. Employment uses would be particularly prominent in this area</p> <p>The ring road which is proposed on the eastern edge of Area C would also be particularly damaging and have a significant adverse impact on the landscape and views, cutting across the grain of the landscape and not aligned with any landscape boundary features.</p> <p>The site at Area C is located in a prominent area and there is no defensible edge to development, resulting in the encroachment of the urban area into a highly visible area of open countryside. The Site Allocations Plan stipulates that a strategic landscape scheme for the development must deliver some seemingly impossible objectives, given the site's prominence. For example, it must:</p> <ul style="list-style-type: none"> Create a bold landscape structure by reinforcing existing field boundaries Extend and manage linear woodlands, and Reinforce planting along the existing edges of Chippenham. <p>Even with these ambitious landscape proposals in place, we question whether this will be sufficient to ameliorate against the</p>
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	<p>landscape impact of development in this area of Chippenham.</p> <p>Finally, the sustainability appraisal considers the development of the site will have a, “limited adverse impact” on landscape (objective 7) with, “mitigation considered achievable”. This is considered generous given the site’s prominence in landscape terms. Enderby Associates consider that the site would more appropriately be assessed as having “significant adverse impact”, with “sustainability issues: mitigation considered problematic”.</p> <p>The allocation of East Chippenham is therefore in conflict with objective 5 of Core Policy 10, which seeks to minimise landscape impact and protect the natural, historic and built environment. This is exacerbated by the fact that because it is located to the east of the flood plain, the river valley separates the site from the rest of the built up area.</p> <p>For the above reasons, we consider policy CH3 to be unsound when tested against paragraphs 173 and 177 of the NPPF. We do not consider the site’s development for the level of proposed development to be justified when considered against reasonable alternatives, based on proportionate evidence. Because of significant infrastructure requirements, many of which are beyond the control of the landowners or developers, the full extent of the proposed allocation may also not be deliverable, thereby failing the test for policies being effective.</p>		
Sound changes	<p>In order to safeguard against the high risk of non-delivery of the proposed allocation at East Chippenham, as well as the potential loss of houses at South West Chippenham and Rawlings Green which is likely as a result of difficulties associated with the delivery of essential road infrastructure, Wiltshire Council should identify the allocation of Forest Farm (see attached plan) - which is available, suitable and deliverable within the next five years - for an attractive mixed-use development comprising up to 700 dwellings and two hectares of employment land for B1 offices and starter / small business units, open space and community facilities. The site is located on existing bus routes to Chippenham and other local towns and villages, it is located close to Abbeyfield School, it has excellent links to local facilities and services in Pewsham and occupies land that is not prone to flooding. In accordance with the council’s own assessment and that of Enderby Associates, Area D is a more acceptable location for development in landscape terms than Area C within which East Chippenham is located and it can be developed without generating any significant landscape impacts or needing the prior provision of overly expensive or extensive infrastructure. Although the council has rejected the prospect of any development within Area D, Forest Farm actually performs well against the criteria that have been identified as the basis for identifying sites.</p>		
Other comments			
Attached files (Please see Objective)	3391748		
Issue	transport issues	Relates to SA	Yes
Officer Response	<p>An independent assessment has shown Plan proposals are viable. Supplemented by additional capacity where necessary the proposals will have an acceptable impact upon local infrastructure.</p> <p>There are no insurmountable obstacles to the timely delivery of Plan proposals and each one has at least a reasonable prospect of delivery in accordance with NPPF policy.</p> <p>Proposals for East Chippenham centre around areas where development can</p>		

	be more readily accommodated in landscape impact terms compared to the alternative site suggested in Area D. Area D performs relatively poorly compared to other areas for reasons summarised in the Site selection Report.
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Comment ID:	200	Consultee: Miss Katherine Burt Person ID: 395940	Agent: Person ID:		Is the Plan legally compliant?	
					Is the Plan sound?	
Number:		Policy CH 1	Identify part of Plan 1	Other	Identify part of Plan 2	Groundwater and contaminated land
Title:		Miss				
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound						
Sound changes						
Other comments	<p>Most of the proposed development sites appear to be Greenfield, which would initially indicate a limited potential for significant contamination issues. However, the relevant contaminated land surveys would need to be done at the earliest stage to establish whether there is actually any contamination present.</p> <p>The South West Chippenham site includes areas within a designated Source Protection Zone (SPZ1 and SPZ2). However, we note the area included within SPZ1 is marked for greenspace, which would be acceptable according to our Groundwater Protection: Principles and Practice (GP3) document - https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3</p>					
Attached files (Please see Objective)						
Issue					Relates to SA	Yes
Officer Response	<p>Evidence on contamination is set out in Evidence Paper 2 Section 7. Currently this refers to the requirements of Wiltshire Core Strategy Core Policy 56. A planning application (14/12118/OUT) has been submitted for this site. Environmental health officers have confirmed that council records do not show any historical land uses of a potentially contaminative nature for the majority of the proposed site. There is however a parcel of unknown filled ground likely to be associated with former extraction activity to the south of the proposed site.</p> <p>Confirmation that the site includes areas within a SPZ. biut as it is identified as greenspace is in accordance with EA advice is noted.</p>					

Comment ID:	513	Consultee: Person ID: 549559	Agent: Mr Michael Orr CSJ Planning Consultants Ltd		Is the Plan legally compliant?	No
			Person ID: 549029		Is the Plan sound?	No
Number: Title:			Identify part of Plan 1	Policy CH 3 (East Chippenham)	Identify part of Plan 2	paragraph 4.21 and 4.29
Reasons for not legally compliant	<p>Chippenham 2020 welcome the decision by Wiltshire Council to promote development at East Chippenham for 850 dwellings. Chippenham 2020 will work positively with the Local Planning Authority and adjacent land owners (including Wiltshire council) to ensure the timely delivery of houses in an agreed trajectory together with the completion of the Eastern Link Road. Chippenham 2020 has scrutinised CSAP and its accompanying evidence base including the Sustainability Appraisal (SA). We find numerous examples of unsound process which has led to skewed and inappropriate outcomes. In particular, Chippenham 2020 consider the allocation of the East as a third preferred site is misguided, the conclusion has been arrived at using unsound processes and inappropriate weighting to site selection criteria and their indicators. If corrected and a re-assessment is undertaken, Chippenham 2020 believe that, taken together with North Chippenham and Rawlings Green the East would rank ahead of the South site in site selection processes.</p> <p>A summary table of the main matters of unsoundness is provided as Appendix 6. (see attachments for further detail)</p>					
Legally compliant changes						
Reasons why unsound	<p>To be sound the CSA Plan must be “justified” i.e. “founded on a robust evidence base” - the flaws in the Evidence Base outlined in this submission mean that it cannot be described as “robust” and therefore the CSA Plan cannot be described as “justified”. (see attachments for further detail)</p>					
Sound changes	<p>The reports referred to in this submission should be revisited and revised to remove the flaws. The Site Selection Report should be reviewed and re-written in the light of such revisions. This is likely to demonstrate that: Areas B and C taken together should become the “first and second preferred areas” and Area E should become the “third preferred area”, only if a third area is deemed to be necessary, and Option C2 should be selected in preference to Option C1. If the Inspector should deem that suggestions 1 – 4 above are not appropriate and Area C remains the third preferred area then; See attachments for further detail but flaws have been summarised as follows: Transport and accessibility: Questionable independence of professional report given number of iterations and drafts for client</p>					

	<p>(WC) approval.</p> <p>Transport and accessibility: An additional 200+ acres of land belonging to Wiltshire Council is included in appraisal on the guise that it is being promoted for development by landowners. This is incorrect and skews transport modelling outputs.</p> <p>Transport and accessibility: Weighting afforded to A350 proximity skews conclusions on highway accessibility. No equivalent weighting is given following the delivery of the Eastern link road.</p> <p>Transport and accessibility: Similar scenario on journey times to that stated above.</p> <p>Transport and accessibility: No consideration of the benefits of interdependence of strategic areas in delivering the eastern ring road and associated major infrastructure.</p> <p>Transport and accessibility: No incorporation in SA of the conclusions of the Transport and Accessibility SA Report Part 2 and the beneficial impact of delivering major infrastructure is overlooked.</p> <p>Landscape evidence: Rationale for using Eastern link road to 'contain' development is unexplained. Implicit assumption that development is bad and therefore unattractive without any worthwhile visual comparison of housing edge versus highway edge to the town of Chippenham.</p> <p>Landscape evidence: Inadequate comparison of heritage impact caused by Areas C and E within Appendix D. Intervisibility of new development with Tytherton Lucas is afforded disproportionate weight. Problem compounded by a lack of thoroughness and assessing the heritage value of Rowden Conservation Area and Rowden Manor.</p> <p>Landscape evidence: Inequitable comparison of Settlements and Conservation Areas and their settings. The output promoting Area E building closely against the Rowden Conservation Area boundary and its setting, significantly underestimates its impact.</p> <p>Landscape evidence: No proper assessment of heritage impact weighing against public benefit as required by National Policy.</p> <p>Biodiversity: The findings of the Biodiversity Paper are not properly reflected in the content nor conclusions of the SA. Area C Displays very limited ecological constraint whereas Area E contains numerous protected species. The assessment and conclusion of the SA are therefore unsound.</p> <p>Site Selection Report: Such is the importance of employment delivery, all strategic allocations provides for it. There is no evidence to suggest that employment attributes in one area are superior to those of another. Therefore criteria 1 and 2 ought to be scored equally across all 3 sites.</p> <p>Site Selection Report: The employment strategy is not fine grained enough and has not recognised small to medium businesses in Wiltshire, which are a major component of the economy.</p> <p>Site Selection Report: The housing infrastructure evidence currently only addresses the costs and not the benefits. In doing so it has not identified the full benefit of the Eastern link road.</p> <p>Site Selection Report: The housing and community infrastructure assessment does not identify or deal with the holding objection from the Highways Agency relating to J17, M4. Such a significant infrastructure constraint and cost ought to have been factored in to the assessment indicators. In consequence it submitted that housing and appropriate infrastructure should be scored equally across all 3 sites.</p> <p>Site Selection Report: Flood risk policy requirements within CH1 and CH2 for sites B and E respectively, require equivalent or</p>
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	<p>less than the current greenfield rate of run off. In contrast CH3 for Area C requires less than the current rate of run off. It follows therefore that Area C will provide flood risk betterment and deliver run off rates that are potentially lower than the other two sites. This betterment is not reflected in the scoring system.</p> <p>Site Selection Report: The Heritage Assessment with Appendix D to the landscape evidence fails to properly compare the impact of the setting of the Tytherton Lucas and with that of the Rowden Conservation Area. The heritage assets within Rowden are not identified and assertions of compatibility with the natural and built environment are made in the absence of any evidence. The conclusions of the landscape report are therefore unsound.</p>		
Other comments			
Attached files (Please see Objective)	3407048		
Issue		Relates to SA	Yes
Officer Response	<p>Judgements contained in the Site Selection Report are fully justified by robust and proportionate use of evidence in accordance with NPPF.</p> <p>In response to each specific issue by topic.</p> <p>Transport and accessibility:</p> <p>The content has been provided by independent consultants.</p> <p>There are no more usual stages than might be expected for a project spanning several months.</p> <p>The consultants have used published evidence contained in the Strategic Housing Land Availability Assessment. This is recognised as a main evidence record for land being put forward for development and therefore represents relevant evidence that takes account of market signals in accordance with NPPF paragraph 158.</p> <p>Logically, distance from existing congestion and proximity to the primary route network represent sensible measures of the level of challenge involved with managing the traffic that will be generated by each strategic area.</p> <p>No undue weight is attached to proximity to the A350. The Core Strategy is an employment led strategy and has established the role of the Plan as the allocation of strategic sites to include the provision of land for employment development. This measure links directly to criterion 3 of policy CP10 of the Core Strategy.</p> <p>See response above.</p> <p>The evidence treats existing public transport provision separately to possible future public transport provision, such as is the</p>		

	<p>case with Area C. This provides a realistic assessment of accessibility over the Plan period.</p> <p>The evidence focuses on performance of strategic areas in combination once each of them has been considered individually. This section of the evidence then considers the benefits of delivering an eastern ring road.</p> <p>Environmental, social and economic effects of an Eastern Link Road are considered against SA objectives in accordance with best practice in respect of both strategic areas and site options.</p> <p>Rather than focus on the merits of areas and sites around the town this evidence Paper focuses on how development might be phased to best align with the transport and accessibility themes within Core Policy 10 but nevertheless has been fully incorporated into the consideration of Plan proposals.</p> <p>Landscape</p> <p>The report says about a possible eastern link road: ‘this offers a more naturalistic approach, with a variety of screened and filtered views towards any development, rather than complete screening with a solid linear mass of new planting.’ IN terms of preventing significant visual urban intrusion into the wider rural landscape, this approach seems sensible and justified.</p> <p>Further reasons for using an Eastern Link Road as a boundary to a strategic site are explained in the Site Selection report.</p> <p>Tytherton Lucas has not been afforded disproportionate weight compared to elsewhere. For example, the report points out that there is little intervisibility between developable land in Area E and heritage assets. By comparison, the report points out a strong association between the village of Tytherton Lucas and the wider riparian landscape through frequent views out to the countryside from within the village.</p> <p>A particular scrutiny of Area E was merited by the presence of significant heritage assets on the urban edge.</p> <p>A particular scrutiny of Area E was merited by the presence of significant heritage assets on the urban edge. The report points out that there is little intervisibility between developable land in Area E and heritage assets</p> <p>The report applies a single methodology consistently to each of the surrounding settlements and their settings. The results are individual recommendations and particular advice on each one that reflects the evidence gathered.</p> <p>The protection of heritage assets is best achieved at more detailed design stages of master planning and planning applications.</p>
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	<p>The site selection report, supported by Evidence Paper 4, clearly indicates that site options in any one of the strategic areas will not result in substantial harm.</p> <p>Biodiversity:</p> <p>Areas E and C contain different ecological interests and these are described in the evidence.</p> <p>The SA concludes that there will be potential effects will be no different between the two because development would be distributed to avoid direct impacts. This is logical and acceptable.</p> <p>Site Selection Report</p> <p>The Core Strategy is an employment led strategy and has established the role of the Plan as the allocation of strategic sites to include the provision of land for employment development.</p> <p>The evidence suggests there is a lack of immediately available serviced land and that it is timely this will hinder local economic growth, frustrating an aims of the core strategy to improve the town's resilience and reduce net out –commuting. The high priority attached to making provision as easily and as soon as possible in an attractive location is therefore justified. Not all areas are the same.</p> <p>The Core Strategy is an employment led strategy and has established the role of the Plan as the allocation of strategic sites to include the provision of land for employment development. In so doing, the Plan provides a range of sites that are suitable to range of potential end users. These opportunities supplement smaller scale ones within the town centre and together provide a good range of sites to meet the needs of small to medium sized businesses.</p> <p>This is incorrect. The Housing and Community Infrastructure Evidence Paper look at these aspects and not transport infrastructure. The Site Selection Report points out the potential benefits of road investment (criterion 3) and ranks this ahead of that for housing and community infrastructure (criterion 2) in applying the Core Policy 10 criteria to the selection of preferred strategic areas.</p> <p>A Direction from Highways England reflects a need to consider in detail the impact of scales of growth proposed at Chippenham, in combination with other areas, that will use the A350 junction 17 on the M4.</p> <p>As it arises from the overall scale of growth at Chippenham it does not impact upon the distribution of development at the</p>
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	<p>town proposed in the Plan.</p> <p>There is 'no scoring system'. However the Core Policy 10 criteria are ranked for the selection of preferred strategic areas. This is and the reasons for the ranking are set out in the Site Selection Report.</p> <p>This report recognises that, potentially, development may reduce flood risk. It takes forward evidence that includes the suggestion that development in Area C could provide a form of 'hydro brake' to achieve betterment.</p> <p>The report applies a single methodology consistently to each of the surrounding settlements and their settings. It is unclear why there should be a need for a direct comparison to contrast just two particular assets. The results contained in the evidence extend to individual recommendations and particular advice on each one that reflects the evidence gathered.</p> <p>The protection of heritage assets is best achieved at more detailed design stages of master planning and planning applications.</p> <p>The site selection report, supported by Evidence Paper 4, clearly indicates that site options in any one of the strategic areas will not result in substantial harm.</p> <p>The Core Policy 10 criteria are ranked for the selection of preferred strategic areas. This is and the reasons for the ranking are set out in the Site Selection Report.</p> <p>Logically, distance from existing congestion and proximity to the primary route network represent sensible measures of the level of challenge involved with managing the traffic that will be generated by each strategic area.</p> <p>The evidence focuses on performance of strategic areas in combination once each of them has been considered individually. This section of the evidence then considers the benefits of delivering an eastern ring road.</p>
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Comment ID:	553	Consultee: Mrs Helen Stuckey	Agent: Person ID:		Is the Plan legally compliant?	
		Person ID: 840547			Is the Plan sound?	
Number:		Policy CH 2	Identify part of Plan 1	Policy CH 2 (Rawlings Green)	Identify part of Plan 2	
Title:		Mrs				
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound	<p>It relates to the Chippenham Site Allocations Plan and all supporting documents</p> <p>I believe that the Chippenham Site Allocations Plan is UNSOUND</p> <p>I believe that the Chippenham Site Allocations Plan has not been positively prepared, is not justified, is not effective and is not consistent with national policy.</p> <p>The details of the reasons are given in the two attached pdf documents: CAUSE2015_Site_ Allocations_Unsound.pdf and CAUSE2015_Process_Unsound (1).pdf</p>					
Sound changes	The changes I consider necessary to make the SAP sound would be to exclude Areas B + C and include Area D.					
Other comments						
Attached files (Please see Objective)			3408566			
Issue					Relates to SA	Yes
Officer Response	<p>The scale of development proposed in the Plan is justified by the need to provide a flexible choice of deliverable sites and a strategic framework for growth.</p> <p>There will be no buildings in the flood plain. Development is proposed within zone 1 areas, defined as land having the very least risk. Taking account of climate change, surface water management measures provided as a part of development will prevent run-off rates in excess of current ones.</p> <p>Transport evidence forecasts that the Cocklebury Link Road will offer benefits to residents of Monkton Park. A southern link road has much less traffic benefit compared to an eastern route. Whilst it would not require a railway bridge, fundamentally</p>					

	<p>Area D is not an appropriate area for development compared to others.</p> <p>Plan proposals, on balance, are the most appropriate and no new alternatives have been suggested that have not already been considered. Development geared to the M4 conflicts with the objective of reducing net out-commuting. New homes on Langley Park are already accounted for as a part of estimating additional housing requirements. Land west of the A350 is not considered a reasonable alternative.</p> <p>An independent assessment has shown Plan proposals are viable. Supplemented by additional capacity where necessary the proposals will have an acceptable impact upon local infrastructure.</p> <p>Inevitably, development on the edge of towns represents the urbanisation of countryside. However, the Plan is the best means to manage development for the least landscape impact and to protect the character and setting to outlying villages. Each proposal includes substantial country parks improving access to the countryside and measures to enhance biodiversity.</p>
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Comment ID:	571	Consultee: Person ID: 549559	Agent: Mr Michael Orr CSJ Planning Consultants Ltd		Is the Plan legally compliant?	No
			Person ID: 549029		Is the Plan sound?	No
Number:		Policy CH 3	Identify part of Plan 1	Policy CH 3 (East Chippenham)	Identify part of Plan 2	
Reasons for not legally compliant		Chippenham 2020 welcome the decision by Wiltshire Council to promote development at East Chippenham for 850 dwellings. Chippenham 2020 will work positively with the Local Planning Authority and adjacent land owners (including Wiltshire council) to ensure the timely delivery of houses in an agreed trajectory together with the completion of the Eastern Link Road. Chippenham 2020 has scrutinised CSAP and its accompanying evidence base including the Sustainability Appraisal (SA). We find numerous examples of unsound process which has led to skewed and inappropriate outcomes				
Legally compliant changes		<p>The reports referred to in this submission should be revisited and revised to remove the flaws.</p> <p>The Site Selection Report should be reviewed and re-written in the light of such revisions. This is likely to demonstrate that: Areas B and C taken together should become the “first and second preferred areas” and Area E should become the “third preferred area”, only if a third area is deemed to be necessary, and</p> <p>Option C2 should be selected in preference to Option C1.</p> <p>If the Inspector should deem that suggestions 1 – 4 above are not appropriate and Area C remains the third preferred area then a number of amendments are proposed.</p> <p>See attachments for further detail but flaws have been summarised as follows:</p> <p>The SA could not have properly informed development of the CSA Plan as a final version of the SA was produced 9 days after the Plan. The CSAP is therefore unsound.</p> <p>Omission in the identified key sustainability issues within the SA. The North East link road is not even mentioned. This undermines the integrity of the ‘key issues and opportunities’ section rendering it incomplete and unsound.</p> <p>Comparison of areas C1 and C2 shows little difference between the two. Therefore no need to limit development to C1.</p> <p>Scoring of sustainable transport choices affords a weight to the less sustainable location of Area E at the expense of area E which is misguided.</p> <p>Scoring of environmental objectives within SA including Air Quality, Climate Change, Poverty Deprivation including Communities is without rationale and unsupported by evidence base.</p>				
Reasons why unsound						
Sound changes						

Other comments			
Attached files (Please see Objective)			
Issue	<table border="1"> <thead> <tr> <th data-bbox="1592 261 1850 298">Relates to SA</th><th data-bbox="1850 261 2152 298">Yes</th></tr> </thead> </table>	Relates to SA	Yes
Relates to SA	Yes		
Officer Response	<p>A sustainability appraisal (SA) is an integral part of the plan preparation process in accordance with NPPF paragraph 165. In playing this role the content of the Plan has and continues to be informed by the SA throughout its preparation before and after the point of publishing a draft report for consultation. A slightly later point for publication of draft version merely reflects additional work necessary to finalise its format.</p> <p>In accordance with best practice the key sustainability issues have been derived by analysing the baseline data and contextual information from Plans Policies and Programmes. An Eastern Link Road does not feature prominently in these documents</p> <p>Environmental, social and economic effects of an Eastern Link Road are considered against SA objectives in accordance with best practice in respect of both strategic areas and site options.</p> <p>The results of SA are recognised in the Site Selection Report which sets out reasons for the selection of Site Option C1.</p> <p>An independent assessment has shown Plan proposals are viable.</p> <p>The SA reports that in terms of access to services Area C has either weak or very weak accessibility although all of Area C is within strong or moderate access to Abbeyfield School. Conversely Area E is located within strong or moderate accessibility to a public transport corridor, and access to employment, with weak access to a secondary school. Logically on SA objective 10 Area E performs better.</p> <p>The SA recognises with respect to environmental objectives that road corridors are already in place to serve Area E. Deprivation objectives recognise that Area C performs relatively less well in terms of public transport access to main employment areas.</p>		

Comment ID:	572	Consultee: Person ID: 549559	Agent: Mr Michael Orr CSJ Planning Consultants Ltd Person ID: 549029		Is the Plan legally compliant?	No
					Is the Plan sound?	No
Number: Title:		Policy CH 3	Identify part of Plan 1	Policy CH 3 (East Chippenham)	Identify part of Plan 2	
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound	<p>To be sound the CSA Plan must be “justified” i.e. “founded on a robust evidence base” - the flaws in the Evidence Base outlined in this submission mean that it cannot be described as “robust” and therefore the CSA Plan cannot be described as “justified”.</p> <p>To be sound the CSA Plan must also be “effective” i.e. “deliverable and flexible” - the prescriptive boundaries drawn around Option C2 make it neither “deliverable” or “flexible” and the CSA Plan cannot be described as “effective”.</p> <p>For the avoidance of doubt as drawn Option C2 will not be delivered and therefore the plan is not “effective”.</p> <p>See attachments for further detail.</p>					
Sound changes	<p>The reports referred to in this submission should be revisited and revised to remove the flaws.</p> <p>The Site Selection Report should be reviewed and re-written in the light of such revisions. This is likely to demonstrate that: Areas B and C taken together should become the “first and second preferred areas” and Area E should become the “third preferred area”, only if a third area is deemed to be necessary, and Option C2 should be selected in preference to Option C1.</p> <p>If the Inspector should deem that suggestions 1 – 4 above are not appropriate and Area C remains the third preferred area then the following changes should be made to the Plan policy.</p> <p>See attachments for further detail but changes are summarised as follows:</p> <p>Amend the policy text as follows: “ Approximately 91 98ha of land at East Chippenham, as identified on the policies map, is proposed for mixed use development to the following”</p> <p>Amend the policy text as follows: “Approximately 5ha of land for employment (B1 and B2 of the Use Classes Order) with up to a further 15ha safeguarded for employment development beyond 2026.”</p> <p>Amend the policy text as follows: “Strategic landscaping and open space to retain and reinforce existing hedgerows, establish new areas of substantial planting and landscaping. and to provide a visual boundary to the town along the route of the Eastern Link Road.”</p>					

	Amend the policy text as follows: "Approximately a 42ha Country Park along the western side of new development." Delete the following from the policy text: "Financial contributions toward provision of new schools."		
Other comments			
Attached files (Please see Objective)			
Issue		Relates to SA	Yes
Officer Response	<p>Though still approximate, there needs to be a clear indication of the scale of employment land that needs to be set aside. A precise land requirement cannot be determined since it will depend upon evidence of needs in the future and market signals.</p> <p>The precise extent of country park will be determined through the master planning process. Inserting 'approximately' is therefore sensible.</p> <p>The way site specific requirements are expressed in the Plan proposals has been reviewed in the light of the adopted CIL charging rates.</p>		

Comment ID:	573	Consultee: Person ID: 549559	Agent: Mr Michael Orr CSJ Planning Consultants Ltd		Is the Plan legally compliant?	
			Person ID: 549029		Is the Plan sound?	No
Number: Title:		Policy CH 3	Identify part of Plan 1	Policy CH 3 (East Chippenham)	Identify part of Plan 2	
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound	<p>To be sound the CSA Plan must be “justified” i.e. “founded on a robust evidence base” - the flaws in the Evidence Base outlined in this submission mean that it cannot be described as “robust” and therefore the CSA Plan cannot be described as “justified”.</p> <p>To be sound the CSA Plan must also be “effective” i.e. “deliverable and flexible” - the prescriptive boundaries drawn around Option C2 make it neither “deliverable” or “flexible” and the CSA Plan cannot be described as “effective”.</p> <p>For the avoidance of doubt as drawn Option C2 will not be delivered and therefore the plan is not “effective”.</p> <p>See attachments for further detail.</p>					
Sound changes	<p>The reports referred to in this submission should be revisited and revised to remove the flaws.</p> <p>The Site Selection Report should be reviewed and re-written in the light of such revisions. This is likely to demonstrate that: Areas B and C taken together should become the “first and second preferred areas” and Area E should become the “third preferred area”, only if a third area is deemed to be necessary, and Option C2 should be selected in preference to Option C1.</p> <p>If the Inspector should deem that suggestions 1 – 4 above are not appropriate and Area C remains the third preferred area then the following changes should be made to the Plan text.</p> <p>See attachments for further detail but changes are summarised as follows:</p> <p>Amend the Plan text by adding the following:</p> <p>“The masterplan will be informed by evidence at the outline application stage which will include a Landscape Visual Impact Assessment, Heritage Assessment, Biodiversity Report, Flood Risk Assessment and Highways Statement.</p> <p>The masterplan will inform the Site Allocations (Appendix 1) and Proposed Changes to the Wiltshire Policies Map – Chippenham Settlement Framework (Appendix 2).”</p> <p>Delete the 5th sentence to para 4.21 of the Plan text that reads:</p> <p>“This area has no obvious features that form a logical natural boundary. A chosen site option creates a new potential</p>					

	boundary by taking a new distributor road to form a landscape corridor that would provide visual containment following a similar approach used for the existing Pewsham area in the south of the town and as proposed at North Chippenham”		
Other comments			
Attached files (Please see Objective)			
Issue			Relates to SA Yes
Officer Response	<p>The first part of this suggested text provides helpful information about the scope and basis for master planning Plan proposals.</p> <p>A master plan will indicate in greater detail how development will proceed on each strategic site. The policies map is required to set out the extent of proposals and these decisions cannot be delegated to other later means that are not subject to the scrutiny and testing required for a part of the development. The latter suggestion is therefore unacceptable.</p>		

Comment ID:	575	Consultee: Cllr Chris Caswill Person ID: 466775	Agent: Person ID:		Is the Plan legally compliant?	
					Is the Plan sound?	No
Number:		1	Identify part of Plan 1	Other	Identify part of Plan 2	
Title:		Cllr				
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound	<p>I support and am in agreement with the two submissions made by CAUSE 2015, including the arguments that the process and methodology are unsound in key respects and that the CSAP is not positively prepared, which do not need rehearsal here.</p> <p>As the representative of the Monkton Park area I am however submitting my own arguments that the CSAP is not properly justified for four main reasons - the poor quality of the evidence and use of evidence in respect of the traffic impact on Monkton Park; the underestimation of the damage which building on sites B and C will cause to the Avon and Marden river valleys; the inadequate consideration of alternative sites, and the dormitory effect.</p> <p>Environmental damage (relevant to selection criteria two and four)</p> <p>The current draft, and the Draft Sustainability Appraisal Report, significantly underestimate the damage to the precious and unspoilt Avon and Marden river valleys. The river valleys are a valuable wildlife corridor, crucial in stemming the increasing rates of extinction of native species, as highlighted in a recent Wildlife Trust report. They are also a valuable local amenity (walking, running, fishing, cycling) and future resource that supports the physical and emotional wellbeing of the local population. The development of Area B would result in the loss of Grade 1 and a substantial area of grade 2 agricultural land - the most valuable agricultural resource in the country. None of this is adequately taken into account. The underlying reasons for the previous rejection of Area C, including landscape, heritage and biodiversity impacts, flood risk and cost of transport infrastructure, have not changed and the proposals for this site remain fundamentally unsound.</p> <p>Here I strongly support the observations made in the CAUSE 2015 case that the CSAP is no Justified (pp 29-34). It is a regrettable weakness in the CSAP that the Biodiversity Interim Evidence Report provides detailed descriptions of wildlife for all areas other than for areas B and C where it states</p> <p>"Further work is needed to assess this area's value potentially to protected species and priority habitats, particularly species rich grasslands".</p> <p>This shortcoming seriously undermines the soundness of the case for development of areas B and C.</p> <p>Areas B and C are adjacent to the River Avon and River Marden, and remain relatively unspoilt with no access apart from</p>					

	<p>Monkton Park and the few crossing footpaths and cycle track. Local residents have affirmed that the rivers abound with wildlife including kingfishers, reed warblers, dippers, swans, mallard, coot, moorhens, little grebe, herons, little egret, swifts, swallows, common sandpipers cuckoos, redstart, fieldfare, barn owls (including a breeding pair at Hardens Farm), bats (including Greater horseshoe bats), otters, mink, badgers, grass snakes, brown hares and deer. Many of these are protected species.</p> <p>This is just a sample of the wildlife which thrives alongside the rivers because of their isolation from urban development.</p> <p>Walkers enjoy the many public footpaths which traverse the region and the old railway track provides a very valuable and safe access from Chippenham to the countryside. This cycle track is very important e.g. www.gps-routes.co.uk</p> <p>"This is a nice easy cycle or walk along the disused railway path from Chippenham to Calne. It follows NCN route 403 and includes lovely riverside runs along the River Avon and the River Marden. The route is almost entirely traffic free so is an ideal option for a family cycle ride or easy walk."</p> <p>If the proposed Site Allocations plan goes ahead, then instead this track will be between employment land on the right and housing on the left with the eastern link road just ahead where walkers and cyclists will have to stop to cross the link road. This will no longer provide existing residents of Chippenham with easy and direct access to unspoilt countryside and it will no longer be the safe traffic free route enjoyed by families with children or those on mobility scooters .</p> <p>The CSAP also underestimates the comparative value of the environmental vistas that areas B and C currently provide, and which would be lost. The proposed development at area C is overlooked in all directions including Monkton Park, Long Close, Hardens Mead (both including houses along the A4), Stanley Lane, Bencroft Hill, Derry Hill and Tytherton Lucas. As the CAUSE 2015 response makes clear (pp 30 and 31) No other strategic area will impact the landscape views of so many existing residents. The proposed 20 ha employment site for B2 and B1 use will be a particular eyesore, as will be the eastern link road.</p> <p>Area B is adjacent to the River Avon which abounds with wildlife and is "visually prominent landscape" - visible from the conservation village of Tytherton Lucas and the limestone ridge towards Bremhill. The Site Selections report (p38) comments "The area is most prominent in the wider landscape. The impact of development would be difficult to mitigate because of the area's raised position. Therefore development would extend the urban edge of the town into countryside in a way that is potentially most visible to the widest area"</p> <p>The CSAP also plays down the risk of flooding for the residents of low lying houses in Monkton Park. Insufficient weight has been given to the Flooding Evidence paper, which identifies area C as the most damaging in terms of increased flood risk,</p>
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	and even then underestimates the forecast increases in river flow due global warming. From a Monkton Park perspective, I strongly support the detailed observations on this issue in the CAUSE response (pp. 18-20).		
Sound changes			
Other comments			
Attached files (Please see Objective)	3412866		
Issue	biodiversity, landscape, access to countryside, flooding	Relates to SA	Yes
Officer Response	<p>The Council has published several evidence papers. Much of the content brings together evidence that has been scrutinised in detail throughout the preparation of the core strategy. Fresh evidence has been commissioned from independent expertise. This includes a landscape setting assessment whose findings have been taken into account when considering the boundaries and densities appropriate to the strategic areas identified.</p> <p>Inevitably, development on the edge of towns represents the urbanisation of countryside. However, the Plan is the best means to manage development for the least landscape impact and to protect the character and setting to outlying villages. Each proposal includes substantial country parks improving access to the countryside and measures to enhance biodiversity.</p> <p>There will be no buildings in the flood plain. Development is proposed within zone 1 areas, defined as land having the very least risk. Taking account of climate change, surface water management measures provided as a part of development will prevent run-off rates in excess of current ones.</p>		

Comment ID:	576	Consultee: Cllr Chris Caswill Person ID: 466775	Agent: Person ID:		Is the Plan legally compliant?	No
					Is the Plan sound?	
Number: Title:		1 Cllr	Identify part of Plan 1	Other	Identify part of Plan 2	
Reasons for not legally compliant						
Legally compliant changes						
Reasons why unsound		<p>I support and am in agreement with the two submissions made by CAUSE 2015, including the arguments that the process and methodology are unsound in key respects and that the CSAP is not positively prepared, which do not need rehearsal here.</p> <p>As the representative of the Monkton Park area I am however submitting my own arguments that the CSAP is not properly justified for four main reasons - the poor quality of the evidence and use of evidence in respect of the traffic impact on Monkton Park; the underestimation of the damage which building on sites B and C will cause to the Avon and Marden river valleys; the inadequate consideration of alternative sites, and the dormitory effect.</p> <p>Alternative areas</p> <p>The CSAP, the Atkins 1 report and the Draft Sustainability Appraisal Report all seriously underestimate a number of alternative sites, to such an extent that the CSAP cannot be said to be sound. This is compounded by the fact that the inclusion of area C will impose a further (unnecessary) 500 house on the Chippenham area. The CSAP takes no account of the well known intentions of the new owners of the Langley Park brownfield site to build an additional 200 houses in place of the approved supermarket. This reduces the Chippenham target to 1736. It is also unsound in its failure to allow for windfall house building in the period up till 2026. It is a simple matter to provide an extrapolation of past windfall building and its omission unnecessarily adds to the amount of green open space which would be lost.</p> <p>Of the 1736 needed, first preference area E could deliver 1000 units, as the promoters of that site have offered. When considering the balance of 736 houses, we believe the SAP is unsound in its failure to give adequate attention to:</p> <p>1. The promotion of the Barrow Farm site in area A. It is not my role here to advocate that site but I note that it was promoted to the then District Council as long ago as 2009 by the same firm as now, and it is notable that the Council and the SAP have in all this time given it so little attention. There is only one brief mention in the Site Selection Report (p 29), and no mention at all in the SAP. Yet there is an active public consultation on proposals for 500 houses in the early years of the SAP. We note</p>				

	<p>also that the Barrow Farm site scores well on some of the selection criteria (eg flooding), is close to the A350 PRN and would require only a very limited road infrastructure investment. The SAP's failure to address this option adequately is another weakness in its justification.</p> <p>2. The opportunity for up to 700 houses on the site to the south of Chippenham, in the corner between the A4 and Pewsham Way. Again I do not advocate this site but draw attention to its potential to meet the main shortfall after the recommended housing in areas E and A.</p> <p>Taken together there is clearly potential for these two areas, and a reasonable windfall forecast, to deliver the 736 houses needed, without any need to build on the Avon valley to the east. As it stands, the CSAP failure to give sufficient attention to those options renders it unsound.</p> <p>Then the CSAP has serially underestimated and undervalued the potential alternative contribution of area D:</p> <ul style="list-style-type: none"> • Its lower level of flood risk ("has the least flood risk area, Evidence paper 6, p 10) is not adequately taken into account • The brief and poorly evidenced reasoning for the dismissal of the southern link road option in Atkins 1, which the SAP relies on heavily and uncritically • The double counting of public transport and non-motorised access judgements in Themes 1 and 3 in Atkins 1, which unfairly advantages area C and disadvantages area D, and seems crucially to affect the overall assessment • The inadequate account taken of pedestrian and cyclist access to the town centre from area D along the London Road and through Pewsham in reaching the Atkins 1 Ease of Access conclusions (Fig 3-2, p 15) • The miscalculation of public transport potential for area D in Atkins 1 (Fig 3-6, p 22), takes too little account of the potential for bus services along Pewsham Way if area D was developed. This underestimate of area D is repeated in the CSAP summary of area D (CSAP, p 184) • The cumulative effect of these underestimations of area D appears in Key Theme 1 map (Fig 4-3 on p 27) • The Networks Impact (4-2, p 28) and PRN Access (4-4 on p 31) maps take no account of the southern link road option, whereas they could have shown the advantage of that road • The Chippenham Sustainability Appraisal Report (CSAP) Summary Table (pp 13-14) shows that area D scores the same as area C in all but two respects – Poverty and Deprivation, where D performs better than C, and Pollution. In the case of Pollution, the negative comparison of D (p 182) is unfair, as virtually the same comments are made as for area C (p179), yet the C is classified as having a limited adverse effect and D as having a significant adverse effect. Moreover no account is taken of the shorter connection to the A350 PRN of a southern link road. • The overall CSAP assessment of area D in the CSAP, summarised on pp 182-189, unfairly diminishes its value. For example, on criterion 7 (landscape character impacts), C and D are marked equally, no attention being given to the loss of the Avon valley environment and biodiversity. On criterion 12 (p185), area D is marked down on attractiveness to business because of its distance from the A350, which is an error, especially if account is taken of a southern link road. • The overall the advantages of area D, such as the shorter link road, its capacity to take traffic away from the Bridge Centre, its closeness to the PRN, the reduced flood risk, the relative lack of overlooked visibility, are underestimated, while problems
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	with the area are unfairly overstated.		
Sound changes			
Other comments			
Attached files (Please see Objective)	3412866		
Issue	housing numbers, alternative sites, area D, southern link road	Relates to SA	Yes
Officer Response	<p>The scale of development proposed in the Plan is justified by the need to provide a flexible choice of deliverable sites and a strategic framework for growth. Plan proposals were selected using a balance of evidence.</p> <p>Plan proposals, on balance, are the most appropriate and no new alternatives have been suggested that have not already been considered. Development geared to the M4 conflicts with the objective of reducing net out-commuting. New homes on Langley Park are already accounted for as a part of estimating additional housing requirements. Land west of the A350 is not considered a reasonable alternative.</p> <p>A southern link road has much less traffic benefit compared to an eastern route. Whilst it would not require a railway bridge, fundamentally Area D is not an appropriate area for development compared to others.</p>		

Comment ID:	10	Consultee: Mr Richard Daone Bath & North East Somerset Council		Agent: Person ID:		Is the Plan legally compliant?	
		Person ID: 558939				Is the Plan sound?	Yes
Proposed Modification	General	Identify part of Plan 1	Other	Identify part of Plan 2		Unsound reasons:	
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound							
Sound changes							
Other comments		<p>B&NES Council and Wiltshire Council continue to work together on cross boundary issues as required by the Duty to Co-operate.</p> <p>Through the preparation of our respective Core Strategies both Councils have worked together to develop complementary strategies in respect of the level of housing and job growth being planned for. In B&NES Councils previous comments it was noted that the housing delivery effects of both Core Strategies are complementary with regard to self-containment objectives.</p> <p>In B&NES Council's comments on the Draft Chippenham Site Allocations Plan it was not considered that the relatively modest increase in the amount of new housing planned for in Chippenham through the Draft Plan alters the overall complementarity of both Councils' Core Strategies. The resultant modest increase in planned housing provision at Chippenham proposed through the Draft Site Allocations Plan (around 10% greater than the Core Strategy requirement) did not alter the overall economic-led strategy for Chippenham which is facilitated through the provision of 26.5ha of employment land. The impact on the housing/employment balance and on commuting into and housing provision strategy related to Bath was considered to be insignificant.</p> <p>In strategic terms the proposed modifications to the Draft Site Allocations Plan reduce the amount of housing planned for to levels that are more in line with those set out in the Wiltshire Core Strategy. As such in the context of the previous comments summarised above and in terms of the strategic relationship between Chippenham and Bath B&NES Council is supportive of the proposed modifications to the Plan.</p>					
Attached files (Please see Objective)						Relates to SA	
SA comments		No comments.					
Themes		Other					

Comment ID:	43	Consultee: Chippenham 2020 LLP		Agent: Mr Ben Larcombe CSJ Planning		Is the Plan legally compliant?	No
		Person ID: 549559		Person ID: 1004463		Is the Plan sound?	No
Proposed Modification	S18	Identify part of Plan 1	Policy CH1 (South West Chippenham)	Identify part of Plan 2		Unsound reasons:	Positively prepared Justified Consistent with national policy
Reasons for not legally compliant		Chippenham 2020 LLP consider that insufficient weight has been given to cultural heritage matters in the Plan making process which contravenes S72 Planning (Listed Buildings and Conservation Area) Act 1990					
Legally compliant changes		See attached Statement					
Reasons why unsound		See attached Statement					
Sound changes		See attached Statement					
Other comments		See attached Statement					
Attached files (Please see Objective)				4062536		Relates to SA	
SA comments		See attached Statement					
Themes		Landscape, Heritage and Biodiversity					

Comment ID:	44	Consultee: Gleeson Developments Ltd		Agent: Mr Martin Miller Terence O'Rourke		Is the Plan legally compliant?	Yes
		Person ID: 817896		Person ID: 817881		Is the Plan sound?	No
Proposed Modification	S18	Identify part of Plan 1	Policy CH1 (South West Chippenham)	Identify part of Plan 2		Unsound reasons:	Justified Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>Wiltshire Council's decision to enlarge the allocation at South West Chippenham under policy CH1 is unsound because it (a) it is not in accordance with paragraph 112 of the NPPF, and (b) stems from planning judgments that have been based on an updated evidence base, parts of which are inaccurate and parts of which are contradictory. Our concerns about the evidence base are set out below.</p> <p>Transport Accessibility Addendum Part 1A</p> <p>Key Theme 1 of the Transport Accessibility Addendum Part 1A has been amended through the addition of an 'Access to Chippenham railway station'. However, as the railway station lies at the northern end of the town centre – which remains a separate criterion - it is no surprise that figures 3-1 and 3-2 are broadly similar in their conclusions, with the outlying strategic site options in Area D performing less well than the other areas. The use of this second criterion is considered to be unnecessary as it simply skews the outcome of the site-selection process in favour of sites that lie closest to the town centre.</p> <p>Key Theme 1 of the Transport Accessibility Addendum Part 1A applies an upper limit of 3,200m to the distance banding for access to the town centre, the railway station, secondary schools and colleges. Whilst this upper limit is suitable for walking journeys, data from the National Travel Survey demonstrates that the current average length of an employment or leisure cycle trip is some 5,200m. Moreover, DMRB TA 91/05 "Provision For Non-Motorised Users" paragraph 2.11 states: "Cycling is used for accessing a variety of different destinations, including educational facilities, shops and places of work, up to a range of around 5 miles [8km]. Cycling is also undertaken as a leisure activity, often over much longer distances." The upper limit applied to cycling journeys is therefore at odds with national travel data and guidance, with the results of the assessment affected accordingly.</p> <p>Paragraph 3.14 of CEPS/04 (October 2014) confirmed that access to Chippenham Community Hospital was being used as a proxy for access to health facilities, because (a) GP surgeries and local health centres were not included in the high level assessment, and (b) large enough developments could be assumed to include a GP surgery or local health centre. Indeed, as part of outline planning application 15/11153/OUT submitted to Wiltshire Council in November 2015, Gleeson Developments Limited proposed the development of a class D1 community building at Forest Farm (site option D1), which could accommodate (or be entirely devoted to) the creation of a new doctor's surgery. Gleeson Developments Limited objected to the use of this criterion as part of their original objections to the submitted draft DPD, but Atkins and Wiltshire Council have continued to use it within Key Theme 1 of the Transport Accessibility Addendum Part 1A. Given that the Council acknowledges that large sites are likely to accommodate new health facilities, the use of this unnecessary, unobjective criterion simply skews the outcome of the assessment in favour of the allocated site located in Area E.</p> <p>Despite the limitations with the criteria outlined above, Figures 3-1 (access to town centre) and 3-2 (access to railway station) of Key Theme 1 of the Transport Accessibility Addendum Part 1A continue to confirm that Site D1 (Forest Farm) performs no worse than parts of the land forming part of the South West Chippenham allocation. Figure 3-3 (access to secondary schools) confirms that site D1 performs much better than the allocated site at South West Chippenham, whilst figure 3-6 (access to bus services) confirms that option D1 performs much better than the</p>					

allocated site at Rawlings Green and a large part of Area C. Figure 3-7 (overall sustainable access) confirms that site D1 performs as well as parts of the South West Chippenham allocation, despite the inclusion of the “Access to Hospital” criterion.

Atkins and Wiltshire Council have chosen not to address Terence O’Rourke’s suggestion (made as part of representations on the submitted draft DPD) that all sites be assessed against an “Access to leisure facilities” criterion, which is clearly a relevant criterion as evident within step 2 of the Council’s Enhanced Site Selection Methodology. Attached to this representation is a map of Chippenham prepared by i-Transport which shows the location of leisure facilities within the town, and which clearly demonstrates that sites to the south east of Chippenham would perform much better than the allocated site at South West Chippenham had this criterion formed part of the site selection process.

Under key theme 2 (highway access) of the Transport Accessibility Addendum Part 1A, figure 4-3 (highway access) confirms that parts of site D1 perform better than parts of the allocated sites at Rawlings Green and South West Chippenham. Under key theme 3, Table 5-1 of the Transport Accessibility Addendum Part 1A indicates that sites A1 and D1 are considered to have low potential to deliver wider transport opportunities because they would be unlikely to provide new road infrastructure to improve highway network resilience for existing Chippenham residents and businesses. In the assessment, the benefits to existing communities of these sites being developed are considered to be “uncertain” rather than having “some” or “high” potential. Area C, however, which is currently devoid of infrastructure, has been assessed as having “some” potential benefits, rather than “uncertain benefits”, despite it being unclear whether there is a justification for the Eastern Link Road. With regard to non-motorised modes of travel, footnote 10 states that “in order for new developments to be able to provide new attractive walking and cycling links for existing residents, those developments would need to be located on a direct route between existing trip generators (existing residential areas) and existing or new trip attractors (such as education, health, and retail services, or employment opportunities). Given their peripheral location, it is difficult to understand how sites in Area C are considered to have “high potential” to benefit existing communities and Area B1 “some potential”, yet all other areas would have “uncertain” benefits. With regard to public transport accessibility, sites E1/E2/E3/E5 and Site D1 perform best in relation to proximity to existing corridors as confirmed by Figure 3-6. However, Table 5-1 confirms that site D1 is considered to have the same potential to improve public transport access for existing Chippenham residents as all other options in Areas A, B, C and D, but less potential than Area E. The differences in the assessment results are not explained or justified, and the outcome of the assessment appears inaccurate and inconsistent, and therefore flawed.

Chippenham Sustainability Appraisal Report – Part 1B - A review of the Sustainability Appraisal of Strategic Areas

Despite looking at the sustainability merits of 14 strategic site options, Atkins / Wiltshire Council has revisited its sustainability appraisal of strategic areas (Chippenham Sustainability Appraisal Report: Part 1B - A review of the Sustainability Appraisal of Strategic Areas) with the results in table 1.2 showing significant differences when compared to the original. Indeed, we note that Areas C and D are now predicted to have similar sustainability effects, and that Area B (Rawlings Green) is predicted to generate moderate landscape impacts rather than moderate air quality impacts, but otherwise performs broadly the same as Areas C and D.

With regard to the summary of Area D, Wiltshire Council acknowledges that whilst there are constraints relating to the provision of high quality employment land with strong public transport and non-motorised access, neither of these are considered problematic to mitigate (paragraph 1.3.17), and that access to/from Area D is considered to be reliant on the already congested A4 which will exacerbate existing air quality and environmental pollution issues (paragraph 1.3.18), albeit there is no evidence base to support such claims.

We note that paragraph 1.3.18 of Chippenham Sustainability Appraisal Report: Part 1B - A review of the Sustainability Appraisal of Strategic Areas, acknowledges that development of the northern part of Area D, in particular the north east (which includes our client’s site at Forest Farm), offers the best potential performance in terms of likely significant effects. However, it also states that this would require improvements to public transport services to reduce potential negative effects on the A4 corridor and town centre as well as low car ownership / car free type of development, but that it is considered that this will not be sufficient to mitigate satisfactorily the significant adverse effects identified. We disagree with this assessment for the following reasons.

In November 2015, Gleeson submitted an outline planning application (reference 15/11153/OUT) to Wiltshire Council for mixed-use development on Strategic Site Option D1 comprising the construction of up to 200 dwellings including affordable housing, B1 employment, a community

	<p>building, the creation of a new vehicular access, footways, cycleways and bus stop lay-bys, ancillary road infrastructure, public open space, children's play areas, landscaping, pumping station and surface water attenuation facilities. The application was accompanied by an Environmental Statement, which assessed the environmental impacts of the proposed development together with the in-combination impacts of the development of 200 and 700 units at the site alongside the other strategic developments proposed within the Submission Draft Chippenham Site Allocations Development Plan Document.</p> <p>As part of the planning application, Gleeson Developments Limited offered to make a financial contribution towards the provision of public transport services, primarily the re-instatement and extension of bus route 231 which until July 2015 linked Chippenham town centre with the Pewsham local centre. However, contrary to the conclusions of the revised Sustainability Appraisal, in their response on planning application 15/11153/OUT dated 6 January 2016, Wiltshire Council Highways has:</p> <p>not raised any objection to the proposed development on highway impact grounds subject to planning conditions and the delivery of or financial contributions towards a number pedestrian/cycle improvements, an upgrade to footpath CHIP16 and payment for TROs and Cycle Track Works, and</p> <p>not required or requested that Gleeson Developments Limited make any contribution towards public transport services as part of any grant of planning permission.</p> <p>The first draft of the revised Sustainability Appraisal was compiled on 16 March 2016 some two months after this consultation response was made public. However, the revised Sustainability Appraisal does not appear to have considered either the submitted Environmental Statement or Wiltshire Council's consultation response. We therefore contend that the conclusions of the revised Sustainability Appraisal in respect of this matter should be afforded limited weight, despite it contributing to site option D1 being rejected (prematurely in our view) from the Council's site selection amended methodology. We consider that the decision to increase the size of the South West Chippenham is therefore unsound because it emanates in part from an inaccurate evidence base.</p> <p>On page 8 of Appendix A of Part One B: A Review of the Sustainability Appraisal of Strategic Areas, we note that the woodland to the west of Strategic Site Option D1 that has been identified as potentially(our emphasis) being contaminated, falls outside of Strategic Site Option D1. We also note that the two small areas of land on the former alignment of the Wilts and Berks Canal that fall within site option D1 are identified as potentially(our emphasis) being of medium contamination. Besides the fact that the woodland falls outside of the strategic site option area, there is no source or evidence base for the claims that the land is actually contaminated, or any indication as to what contaminants might exist. It should also be noted that the two areas of potential contamination that fall within Strategic Site Option D1 are proposed to remain undeveloped as part of the site master plan, which may actually negate the need for any remediation, if indeed the land is contaminated in the first place.</p> <p>The Site Selection Report: Enhanced Methodology</p> <p>Criterion 2 of Core Policy 10 deals with the scope for each area to provide a mix of house types for both market and affordable housing alongside the timely delivery of the facilities and infrastructure necessary to serve them. We note from Appendix 2 of the Council's Enhanced Site Selection Methodology that "impacts upon nearby schools", "impacts on health facilities" and "impacts on leisure facilities" are considered to be key indicators, yet "proximity to leisure facilities" was not considered to be an important factor in the production of the heat maps prepared as part of the Transport Accessibility Addendum Part 1A. This oversight has disadvantaged some strategic sites, particularly those in the south east of Chippenham.</p> <p>Criterion 4 of Core Policy 10 assesses the potential to improve accessibility by alternatives to the private car to the town centre, railway station, schools, colleges and employment. However, we note from Appendix 3 of the Council's Enhanced Site Selection Methodology that: the potential for walking and cycling access to secondary schools is acknowledged as a strength for area C, but not for Area D, despite the proximity of Abbeyfield Secondary School to Area D being acknowledged in Figure 3-3 of the Supplementary Transport and Accessibility Evidence Part 1a</p> <p>Areas A, B and E are recognised as having the opportunity for strong or moderate potential for easy access from public transport networks, but not Area D, despite Area D performing as well as areas A, B and E in Figure 3-6 of the Supplementary Transport and Accessibility Evidence Part 1a</p>
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	<p>Area C is identified as having the opportunity for high potential to provide new attractive walking and cycling links around the town such as to Abbeyfield School and sports facilities, yet the same conclusions are not reached for Area D despite its excellent proximity to Abbeyfield School and the Stanley Park Sports Ground</p> <p>The overall conclusion highlights that Area D is different to all other areas because of its weakness against criterion 4, yet Area D clearly performs as well as other areas, as evidenced in the Supplementary Transport and Accessibility Evidence Part 1a.</p> <p>Criterion 5 of Core Policy 10 seeks to assess whether an area has an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improves biodiversity and access and enjoyment of the countryside. However, we note from Appendix 3 of the Council's Enhanced Site Selection Methodology that:</p> <p>none of the five areas are considered to have strengths in these respects</p> <p>Area E is considered to possess the opportunity of potentially securing long term positive management of heritage assets and the protection of their setting, yet Area D has no opportunities despite the obvious opportunity for development to assist with the restoration of the former Wilts and Berks Canal</p> <p>Area C has the potential for new development to provide an improved urban edge provided it was accompanied by a landscape framework, yet the same opportunity is not attributed to Area D</p> <p>The high potential for heritage assets with archaeological interest associated with the former Wilts and Berks Canal is considered to be a threat to Area D, rather than an opportunity or a strength</p> <p>The conclusion for Area B is that this is the most prominent area in the wider landscape and that the impact of development would be difficult to mitigate because of the area's raised position, yet the site remains allocated in the amended DPD.</p> <p>Criterion 6 of Core Policy 10 assesses sites according to whether they avoid all areas of flood risk (therefore within zone 1) and surface water management reduces the risk of flooding elsewhere. However, we note from Appendix 3 of the Council's Enhanced Site Selection Methodology that the Council seems to attach weight to whether strategic areas abut flood zones 2 and 3 despite abutment not being a factor within national planning policies.</p> <p>The conclusion within paragraph 4.9 of the Council's Enhanced Site Selection Methodology states that "options D1, D3 and D4 are considered less sustainable than those identified above (site options B1, C2, C3, C4, D7, E1, E2, E3 and E5) as they deliver the least beneficial effects compared to those in the more sustainable options. They should only be given further consideration in the preferred strategy if the options identified above are not deliverable." However, these conclusions have been reached following a flawed Sustainability Appraisal, details of which are set out in a separate representation.</p> <p>Paragraph 5.38 of the Enhanced Site Selection Methodology Report states that, "none of the site options in Strategic Area D are an attractive location for employers as they are not connected to the A350 corridor or other priority economic areas", yet Appendix 6 of the same document confirms that Site Option D1 was not appraised as part of the Council's Workplace and Employment Land Review 2011. Furthermore, outline planning application 15/11153/OUT clearly explains that the decision to promote solely B1 office and light industrial development at Forest Farm reflected the January 2015 advice provided to Gleeson Developments Limited by Whitmarsh Lockhart, a firm of Chartered Surveyors and Commercial Property Agents and Valuers based in Swindon, yet such information does not appear to have been passed to Atkins. Given that Gleeson Developments Ltd is the only organisation that appears to have assessed the site's potential to accommodate commercial development in the last two years, we do not consider that the conclusions of paragraph 5.38 have been substantiated.</p> <p>Paragraph 5.38 of the Enhanced Site Selection Methodology Report also states that "development in Area D would require commercial traffic to pass through the town centre to access the site, placing pressure on the already congested A4 corridor and town centre as commercial vehicles access the site from the north". However, the Sustainability Appraisal recognises that Site D1 can accommodate B1, B2 and B8 uses whilst Figure 4-1 of the Supplementary Transport and Accessibility Evidence: Part 1a recognises that the site does not lie in close proximity to a congested corridor and performs best out of all site options in Area D. The conclusions reached in paragraph 5.38 do not seem to be supported by the evidence base.</p> <p>Paragraph 5.39 of the Enhanced Site Selection Methodology Report states that "All strategic site options in Area D require relatively long</p>
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	<p>connection to water supply (reservoir to the north of town) which is likely to be more expensive". Wessex Water has not highlighted this as being an issue in their consultation response on outline planning application 15/11153/OUT, and there is no source or evidence to support this statement. As a consequence, we do not consider this statement to be accurate or indeed relevant.</p> <p>Despite paragraph 1.23 of Step 1 of the Enhanced Site Selection Methodology Report stating that development of the northern part of Area D, and particular the north east (which includes Forest Farm) offers the best potential performance in terms of likely significant effects, by Step 5, it is the options that could support a Southern Link Road (i.e. options D3 and D7) which are carried forward to the final stage of assessment.</p> <p>In economic terms, Step 5 of the Council's SWOT analysis (page 58) views the size of site option D1 as a weakness in terms of its ability to provide a range of B1, B2 and B8 uses, but fails to recognise that the delivery of B1 offices in a part of Chippenham where there are limited employment facilities represents an opportunity that is supported by the commercial advice obtained by Gleeson Developments Ltd.</p> <p>Within the Council's Enhanced Site Selection Methodology Report, the Government Pipeline that passes through the site is considered to be a "social" weakness (page 59). However, neither we nor Fisher German (who made representations on outline planning application 15/11153/OUT concerning development close to the pipelines) see the existence of the pipeline as anything other than a site constraint that must (and can) be designed around. This comment is therefore irrelevant.</p> <p>Within the Council's Enhanced Site Selection Methodology Report (page 59), the small amount of contaminated land is viewed as a social threat, yet the separate Sustainability Appraisal recognises that there may not even be a need to mitigate it.</p> <p>In light of the information within the Transport Accessibility Addendum Part 1A and the fact that site D1 adjoins the A4 public transport corridor, we do not understand why the Council's SWOT analysis (page 61) considers there to be a "poor opportunity" to extend existing public transport using the A4 into the site.</p> <p>On page 63 of the Enhanced Site Selection Methodology Report, the Council's SWOT analysis suggests that there is a threat that development could reduce the value of the ecological assets at site D1, yet this was not the conclusion of the Sustainability Appraisal or indeed the view of the County Ecologist in her representation on outline planning application 15/11153/OUT.</p> <p>It is clear from the Enhanced Site Selection Methodology Report that the inability of Site D1 to facilitate a Southern Link Road is considered by Wiltshire Council to be a weakness, yet the fact that site D1 can be developed quickly without the need for significant or expensive highways infrastructure is not recognised as a strength of the site.</p> <p>The Sustainability Appraisal views archaeological potential at site D1 to be of concern, yet the SWOT analysis (page 62) sees it as an opportunity.</p> <p>The SWOT analysis (page 63) sees site D1's location within flood zone 1 as a strength, yet this is not reflected in the Sustainability Appraisal.</p> <p>Step 6 of the Enhanced Site Selection Methodology Report combines the SWOT analysis with the Sustainability Appraisal and assesses each option against Core Policy 10. Notwithstanding the inaccuracies with both documents that we have highlighted above and under our separate representation on the Sustainability Appraisal, we note that:</p> <p>Site option D1 is considered to be weak in terms of improving access to sustainable transport, despite adjoining a major public transport corridor</p> <p>Site option D1 is recognised as having opportunities to minimise landscape impacts and protecting the natural, historic and built environment, yet this is not reflected in the Sustainability Appraisal</p> <p>The opportunity to manage flood risk is not even considered.</p> <p>Paragraph 6.28 of the Enhanced Site Selection Methodology Report states that "Comparing the extent of adverse impacts for each strategic site option identified in the SA and clustering the strengths and weakness each site has in relation to the CP10 criteria begins to give a picture of the stronger and weaker strategic site options. The assessment of site options suitability indicates that strategic site options A1, C2, C3, D1, D3, D4 and E3 are not suited to be taken forward as potential component parts of alternative development strategies". These conclusions are in part based on a flawed Sustainability Appraisal and a flawed SWOT analysis.</p> <p>The reasons for rejecting site options D1 and D4 are set out in paragraph 6.33 of the Enhanced Site Selection Methodology Report. These are that:</p> <p>This site is not located in the A350 corridor. Access is via the A4, and through the town centre. Development places significant pressure on the A4 corridor. Individually they do not facilitate a Southern Link Road and so there is no opportunity to create better relationship with the A350 corridor</p>
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	<p>and thereby increase its attractiveness to employer</p> <p>These sites overall have weak potential to offer wider transport benefits to the community as it is located close to congested corridors and has moderate non motorised access to the town centre. On their own these sites do not provide the opportunity to create a southern link road to improve access to the A350 and reduce the potential impact of development on existing congested corridors.</p> <p>It is clear from the fact that Site C4 was retained at the end of this step of the enhanced methodology, that the driver for sites being allocated is their potential to deliver new roads, at the expense of development that can be brought forward quickly without providing expensive new infrastructure.</p> <p>Chippenham Site Allocations Site Selection Report Appendix 6: Policy review of strategic site options</p> <p>We note from the detailed assessment on pages 200 and 201 that site D1 was not considered within the Workspace and Employment Land Review 2011, but that it is recognised that there is a shortage of employment land for B1 and B2 development in Chippenham and that the proposed B1 use at Forest Farm has scope to contribute to addressing some of this demand.</p> <p>Under environmental attractiveness (page 202), it is recognised that the site's proximity to the A4 Pewsham Way would be attractive to new businesses as it has convenient access to the local road network, yet the convenience of this access is not reflected within parts of the Sustainability Appraisal or SWOT analysis.</p> <p>With regard to the introduction of choice (page 202), it is recognized that the site is not an immediate distribution or large scale manufacturing location. In terms of the site's relationship with existing residential development (also on page 202), the assessment recognises that the site is more suited to B1 uses rather than B2 and B8, and that the site is likely to have a good relationship with existing housing. Both of these statements seem to justify Gleeson's decision to promote the site for B1 office and light industrial use only as part of outline planning application 15/11153/OUT, yet the Sustainability Appraisal is dismissive of the economic potential of site D1 for not being capable of providing a range of B1, B2 and B8 uses.</p> <p>In concluding on the extent to which Site D1 fits with criterion 1 of Core Policy 10, weight is clearly given to:</p> <p>The lack of access to the A350 and the pressure that development would create on congested corridors, despite the Council Highways Officer raising no objection to outline planning application 15/11153/OUT</p> <p>The site's inability to deliver the Southern Link Road, despite the fact that Council Highways Officer raising no objection to outline planning application 15/11153/OUT</p> <p>Assumptions about the scale of building and its impacts on the landscape, in contrast to (a) the specific details submitted to Wiltshire Council as part of outline planning application 15/11153/OUT and (b) the Council's Landscape Officer's response to the same application</p> <p>The view that delivery of employment may be difficult, despite planning application 15/11153/OUT being based on commercial advice.</p> <p>Criterion 2 of Core Policy 10 is concerned with "The Capacity to provide a mix of house types, for both market and affordable housing alongside the timely deliver of the facilities and infrastructure necessary to serve them". However, decision-aiding questions being asked to answer this question relate to environmental attractiveness, and noise, contamination and other pollution, which do not seem directly relevant.</p> <p>We note that the assessment (page 203) recognises that the risk of noise, contamination and other pollution is considered to be low and that the medium risk contaminated site is unlikely to be so significant so as to reduce quality of life, which contradicts the more negative conclusions of the Sustainability Appraisal.</p> <p>We note on page 204 that the GPSS pipeline that runs through the site is considered to represent an exceptional development cost, yet Gleeson Developments Limited is not proposing to leave them in situ. Gleeson's site layout seeks to avoid development over or near them, and as a consequence, no exceptional development costs exist.</p> <p>We note on page 204 that the impact on schools is considered to be mixed, yet the County Education Authority has not objected to outline planning application 15/11153/OUT on education grounds, and the wider master plan for the site makes provision for a 2FE primary school. There is therefore no adverse impact on schools.</p> <p>On page 204, the impact on health facilities is considered to be poor, yet no allowance has been made for the new community building that was</p>
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	<p>proposed as part of planning application 15/11153/OUT and which Gleeson Developments Ltd has offered (in part or in whole) as a new health centre.</p> <p>We note as part of the overall judgment on page 205 that the power lines that cross the site are considered to represent additional costs to the development which could affect the proportion of affordable housing provided, yet Gleeson Developments Limited is not proposing to remove them and therefore no additional costs or impact on affordable housing will arise. We also note that there is now a medium risk of contamination despite the paragraph above saying that the risk is low, and that the existence of a GPSS pipeline running through the site is highlighted as a factor to consider, even though it does not prevent development or result in Gleeson's incurring exceptional development costs. Such statements are inaccurate and contradictory.</p> <p>Criterion 3 of Core Policy 10 is concerned with "Wider transport benefits for the existing community, has safe and convenient access to the local and primary road network and is capable of redressing traffic impacts, including impacts affecting the attractiveness of the town centre". On page 205, the assessment states that "in the absence of any new link roads, development would place significant pressure on the A4 corridor from Pewsham and the town centre". However, such a conclusion was not borne out by the Transport Assessment submitted with planning application 15/11153/OUT or the "no objection" response to the application made by the County Highways Officer. Indeed, no allowance appears to have been made within the assessment for the following works, all of which have been proposed as part of outline planning application 15/11153/OUT: improved access from the Pewsham Estate to the existing PROW network via footway improvements and a new crossing over the A4 Pewsham Way</p> <p>improved access for pedestrians and cyclists to the sports and community facilities at Stanley Park Sports Ground; and</p> <p>Improvements to the A4 London Road/Pewsham Way roundabout to reduce vehicle queueing and delay.</p> <p>It is very evident from the overall judgment on page 206 that option D1 is being disadvantaged because it is able to utilise existing highways infrastructure, with no benefit whatsoever ascribed to the potential for the site's development to be able to enhance or replace bus services that have recently been withdrawn within the town. Criterion 4 of Core Policy 10 is concerned with "Improving accessibility by alternatives to the private car to the town centre, railway station, schools and colleges and employment". We note that the opportunity for D1 to replace the bus services recently lost to the Pewsham Estate has not been given any weight within the assessment on pages 207 and 208 and that the Council's assumption concerning weak walking and cycling access to the town centre, railway station, community hospital and employment areas is based on an upper limit of 3200m, which does not accord with national travel data and guidance.</p> <p>Criterion 5 of Core Policy 10 is concerned with "landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improving biodiversity and access and enjoyment of the countryside". We note that the assessment on pages 208 and 209 makes no reference to the adverse landscape impacts that the overhead pylons currently make to the character of the area.</p>		
Sound changes	<p>It is imperative that the Chippenham Site Allocations DPD accords with national planning policy and is justified in light of the evidence base. Based on currently available information, land at Forest Farm (site option D1) contains the least amount of best and most versatile agricultural land of any potential development site around Chippenham. Therefore, in order for the plan to comply with paragraph 112 of the NPPF, the site should be allocated ahead of other development sites around the town, including the extension to South West Chippenham.</p>		
Other comments			
Attached files (Please see Objective)	4062663	Relates to SA	Yes
SA comments	<p>Addendum 1 of the Sustainability Appraisal Report contains a Sustainability Appraisal of 14 Strategic Site Options around Chippenham. However, the appraisal is considered to be inaccurate and flawed for a variety of reasons, and that as a consequence, the conclusions of the appraisal do not provide a sound basis upon which to make important decisions concerning the development strategy for Chippenham. Our specific concerns are highlighted below.</p> <p>The Sustainability Appraisal of Strategic Site Option D1 has assumed the development of 482 dwellings, 3.3 hectares of employment and access from the A4 London Road. We note that paragraph 1.9.1 concludes that no major adverse effects are expected to arise from the development of the site option, which is the same conclusion reached in the Environmental Statement submitted with Gleeson Developments Ltd's outline</p>		

	<p>planning application 15/11153/OUT submitted to Wiltshire Council in November 2015. We also note that paragraph 1.9.2 states that moderate adverse effects, which are deemed problematic to mitigate, are expected on a number of Sustainability Appraisal objectives, a number of which are common among site options throughout Chippenham.</p> <p>Paragraph 1.9.3 of the amended Sustainability Appraisal states that development at site option D1 would lead to a moderate adverse effect in air quality, particularly along already congested routes and in the town centre and an increase in greenhouse gas emissions. However, this statement contradicts the conclusion of the air quality assessment undertaken by ACCON UK in February 2016 and submitted to Wiltshire Council in March 2016 in support of outline planning application 15/11153/OUT for development at Forest Farm. The air quality assessment concluded that only minor air quality effects would arise from the development of site D1 either in isolation or in combination with the other proposed developments around Chippenham, and given that it was submitted to Wiltshire Council's planning policy team one month prior to the first draft amended Sustainability Appraisal published by Atkins on 11 April 2016 and some two months prior to it being finalised on 13 May 2016, the results should have been factored into the Sustainability Appraisal. As they were not, limited (if any) weight should be afforded to the conclusions of this element of the Sustainability Appraisal.</p> <p>Paragraph 1.93 of the amended Sustainability Appraisal states that Site Option D1 proposes only a very modest scale of employment development likely to be suitable for employment development focused on one use class only, resulting in a moderate effect on SO11, and a similar result in respect of SO12 given the site's lack of access to the A350. The conclusion is that this "would likely reduce the site's commercial market desirability". However, Atkins has arrived at these conclusions in spite of:</p> <ul style="list-style-type: none"> • Appendix 6 of the Council's Enhanced Methodology confirming that Site Option D1 was not appraised as part of the Council's Workplace and Employment Land Review 2011, and • outline planning application 15/11153/OUT clearly explaining that the decision to promote solely B1 office and light industrial development at Forest Farm reflected the January 2015 advice provided to Gleeson Developments Limited by Whitmarsh Lockhart, a firm of Chartered Surveyors and Commercial Property Agents and Valuers based in Swindon. <p>Given that Gleeson Developments Ltd is the only organisation that appears to have assessed the site's potential to accommodate commercial development in the last two years, we do not consider that the conclusions of the Sustainability Appraisal can be considered accurate.</p> <p>Paragraph 1.9.4 of the amended Sustainability Appraisal states that in keeping with assessments across all other sites, Option D1 demonstrates moderate adverse effects (of problematic mitigation) against SO2 due to the extent to which greenfield land and BMV agricultural land covers the site. However, given the requirements of paragraph 112 of the NPPF, we are surprised that Atkins and Wiltshire Council have made no attempt to differentiate impacts according to the proportion of best and most versatile agricultural land affected. Based on publicly available information submitted to Wiltshire Council in 2015 and early 2016 as part of various planning applications for greenfield residential development around Chippenham, Terence O'Rourke has pulled together the following table, which indicates the proportion of best and most versatile agricultural land at Forest Farm (site D1) compared to the allocated sites at Rawlings Green and South West Chippenham:</p> <p>Site Information source Best and most versatile land Non BMV land</p> <p>(grades 1, 2 and 3a)</p> <p>Forest Farm (Site D1) ADAS site specific survey undertaken 19.1% 80.9%</p>
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	<p>in January 2016</p> <p>Rawlings Green (Site B1) Environmental Statement chapter 6 84% 16%</p> <p>ALC report provided</p> <p>Chippenham 2020 (Area C) Environmental Statement chapter 11 37% 63%</p> <p>based on 1995 MAFF Survey</p> <p>Patterdown and Rowden (Area E) Environmental Statement, data based on 34% 66%</p> <p>(developable area not Riverside Park) MAFF 1995</p> <p>Patterdown and Rowden (Area E) Environmental Statement, data based on 58% 42%</p> <p>(Riverside Park) MAFF 1995</p> <p>It is clear from this table that site D1 (Forest Farm) possesses significantly less best and most versatile agricultural land than other potential development sites around Chippenham, and that in accordance with paragraph 112 of the NPPF, this site should be allocated / developed ahead of them.</p> <p>Despite the availability of this information in early 2016, the revised Sustainability Appraisal dated May 2016 fails to differentiate between the quality of land across the five strategic areas, and records all sites as having a moderate adverse impact on best and most versatile agricultural land. This is clearly factually inaccurate, yet extremely important and significant in the context of paragraph 112 of the NPPF.</p> <p>The Proposed Modifications to the pre-submission draft plan do not propose to allocate site D1 under the sequential test set out under paragraph 112 of the NPPF, yet they propose the retention of site B1 and the additional allocation of land at South West Chippenham. We consider that the evidence base underpinning the Proposed Modifications is inaccurate, and that as a consequence, the Proposed Modifications are unsound because they do not accord with national planning policy.</p> <p>Despite the clear potential to assist with the restoration of the former Wilts and Berks Canal, which would deliver positive beneficial effects in terms of heritage and recreation facilities, paragraph 1.9.6 states that the only beneficial effect from the development of Site D1 concerns the potential to provide renewable energy on-site, but that this is shared by all site options. We contend that the site's ability to help meet affordable housing needs, to provide an appropriate housing mix, to support improvements to public transport connectivity and pedestrian and cycle links in the town and wider countryside are also positive benefits that should be acknowledged within the Sustainability Appraisal.</p> <p>Terence O'Rourke has reviewed Atkins' Sustainability Appraisal of Strategic Site Option D1 and, as with the original Sustainability Appraisal of the submitted draft DPD, has identified a number of deficiencies with it. These deficiencies stem from:</p> <ul style="list-style-type: none"> • A failure on behalf of Atkins / Wiltshire Council to consider environmental information relating to Forest Farm that is contained within the
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	<p>Environmental Statement prepared in support of outline planning application 15/11153/OUT and which was submitted to Wiltshire Council in advance of Atkins work being undertaken</p> <ul style="list-style-type: none"> • A failure on behalf of Atkins / Wiltshire Council to consider consultation responses to outline planning application 15/11153/OUT from Council Landscape, Education, Highways and Ecological officers and statutory consultees, which do not support the conclusions reached by Atkins • A significant failure on behalf of Atkins / Wiltshire Council to consider publicly available environmental information about the quality of agricultural land at numerous development sites around Chippenham and indeed the requirements of paragraph 112 of the NPPF concerning how to treat sites that have the least amount of best and most versatile agricultural land • The relevance and appropriateness of a number of “decision-aiding” questions that have been devised to assist the Sustainability Appraisal process, and • The quality of the appraisal itself. <p>It is clear from the Council’s Enhanced Site Selection Methodology (May 2016) that Wiltshire Council has used the outcomes of the Sustainability Appraisal to determine which sites should be allocated in the amended Chippenham Site Allocations DPD, and which should be rejected. Clearly, if the revised Sustainability Appraisal is flawed and decisions have been based upon a flawed document, then the soundness of the amended Site Allocations DPD must be questionable.</p> <p>In order to highlight to Wiltshire Council and ultimately the public examination Inspector the deficiencies with the Sustainability Appraisal in respect of Forest Farm (Site D1), Terence O’Rourke has undertaken its own Sustainability Appraisal based on the Environmental Information compiled and submitted in support of outline planning application 15/11153/OUT (November 2015). The report is included with these representations, with Appendix 3 identifying how site D1 should be compared to the other 13 strategic site options.</p>
Themes	Delivery and Plan Strategy

Comment ID:	70	Consultee: Mr Tim Baker Strategic Land Partnerships		Agent: Mrs Joanna Lee Peter Brett Associates LLP		Is the Plan legally compliant?	
		Person ID: 841158		Person ID: 1005672		Is the Plan sound?	No
Proposed Modification	S15	Identify part of Plan 1	Section	Identify part of Plan 2	Methodology	Unsound reasons:	Positively prepared Justified Effective Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>The revised methodology now identifies the "mixed strategy" as the preferred option. This involves allocating more sites at South West Chippenham (S18) and deletes the proposal for East Chippenham extension (S69). The consequence of this approach is that less land is provided for housing within the Chippenham Site Allocations Plan. We are not convinced that this change in strategy is justified by the evidence and we are very concerned that this is not positive planning for the long term sustainable development of Chippenham.</p> <p>In addition this strategy is not likely to provide enough land for housing and certainly will not provide for a range and choice of sites required for delivery by the market though a range of different house builders and developers. The strategy relies on an even greater proportion of the supply concentrated into large urban which are heavily dependent on infrastructure requirements, for example the construction of the road in the north as well as satisfactory resolution of the adverse effects identified to heritage and landscape as set out in the sustainability appraisal.</p> <p>It is disappointing that the modifications do not identify and allocate appropriate sites adjacent to the town, and currently within the settlement boundary as suitable for housing development over the plan period. Identifying a variety of sites in the DPD would enable to the council to demonstrate that it is actively working towards meeting the housing requirements for the town (as set out in Core Strategy Policy 10) in both the long and short term, which would, in turn, support the Council's five year supply position. This would also provide greater clarity and certainty to developers and the local community about the scale and spatial distribution of development in and around the town. The modifications continue with an approach which relies solely on very large strategic sites which provides limited choice, flexibility and resilience.</p>					
Sound changes		<p>The modifications should provide for the long term growth of the town and ensures its sustainable development by allocating a range of suitable size and types of sites to help provide market and affordable housing for local people. Given that a range of smaller extension sites to the SW of Chippenham (S21) are now allocated the modifications should also include suitable sites that are within the existing settlement boundary and far closer to the town center, such as the land at Saltersford Lane. This site has consistently been put forward to the Council and is a highly suitable site, which is located in an even more sustainable location and as such is entirely appropriate for development. It is largely unconstrained and provides 2.39ha of developable land with an estimated capacity of around 70-80 homes. A detailed representation to this effect was previously submitted to the submitted version and is still valid. We understand that it will be considered by the Inspector, along with these additional representations, when the examination resumes.</p> <p>We would suggest the following change is made to the plan and specifically that the following additional site (see plan below) is included within a new policy:</p> <p>CH1a Site at Saltersford Lane</p>					

	Approximately 2.4ha of land at Saltersford Lane, as identified on the policies map, is proposed for residential development. Development will be required to include a suitable design and layout, adequate infrastructure, appropriate financial contributions towards education and provision of affordable housing and open space.		
Other comments			
Attached files (Please see Objective)		Relates to SA	
SA comments	The Sustainability Appraisal considers the implications of a reduced figure and concludes on page 36 of the Addendum 2 SA of Reasonable Alternative Development Strategies that the submitted strategy would have the most major positive effects for socio economic objectives due to the provision of more housing and employment land and infrastructure. Despite this it then goes on to conclude that the mixed strategy is recommended as the preferred alternative. The SA rightly recognizes that this would require satisfactory solution of the heritage and landscape adverse effects identified prior to taking this alternative forward.		
Themes	Delivery and Plan Strategy		

Comment ID:	100	Consultee: Mr T Molloy Person ID: 394945		Agent: Person ID:		Is the Plan legally compliant?	Yes
						Is the Plan sound?	No
Proposed Modification	S32	Identify part of Plan 1	Policy CH2 (Rawlings Green)	Identify part of Plan 2	4.19, policy CH2 and 5.11 to 5.18	Unsound reasons:	Positively prepared Justified Effective
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>1. Destruction of a natural landscape amenity that belongs to Chippenham</p> <p>The development would result in the destruction of the natural beauty and tranquillity of the area. It is a precious and irreplaceable resource for the people of Chippenham, the loss of which will never be compensated for. The beautiful meadows running down to the place where the Marden and Avon rivers meet would be irreversibly destroyed for posterity. Building on the higher ground at Rawlings Farm and Peckingell would ruin the views from the river valleys. The natural river environment consisting of important wildlife habitats would be badly degraded by housing development.</p> <p>2. The houses for Chippenham can be built elsewhere</p> <p>The South-west Area E development will accommodate most of the requirement for houses. There are other achievable applications such as those at Langley Park, Forest Farm, Gate Farm, and Middlefield School. The brownfield sites at the former Police Station and the old Wiltshire College have become available.</p> <p>3. Cost of Rail bridge will invalidate the scheme</p> <p>The stated costs of the proposed bridge have been seriously underestimated, and anyway it is very common for the costs of infrastructure associated with the railways to rise. When anything like a realistic cost emerges the incentive for the developer to progress the scheme beyond the first tranche of houses will evaporate.</p> <p>4. The economic centre of gravity of Chippenham is in the West of the town</p> <p>The proposed development at Rawlings Green is on the wrong side of Chippenham. The main areas of business and industrial activity are in Methuen Park and Bumpers Farm. It is likely that most of the extra residents at Rawlings Green would commute out of the town, either by rail or to the already overloaded J17 at the M4, via the narrow and dangerous B4069.</p>					
Sound changes		The proposal for development at Rawlings Green should be removed from the CSAP					
Other comments							
Attached files (Please see Objective)						Relates to SA	
SA comments		I do not comment here on the updated Sustainability Appraisal Report					
Themes		Delivery and Plan Strategy					

	Roads
	Landscape, Heritage and Biodiversity

Comment ID:	111	Consultee: Greensquare Group Ltd Person ID: 1006155		Agent: Sean Lewis Tetlow King Planning Person ID: 903267		Is the Plan legally compliant?	Yes
						Is the Plan sound?	No
Proposed Modification	S15	Identify part of Plan 1	Paragraph	Identify part of Plan 2	4.10 - 4.24	Unsound reasons:	Positively prepared Justified Effective Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>Our client's principle concern is to optimise the provision of market and affordable housing. This representation seeks to achieve this, and also seeks to ensure that the preparation of the Plan is consistent with the Council's adopted and emerging development strategy. Greensquare Group has development interests in Chippenham, including land at Methuen Park, off the A4 Bath Road (see enclosed location plan).</p> <p>Tetlow King Planning contends that the Chippenham Site Allocations Plan is contrary to the provisions of NPPF Paragraph 182, and is unsound for the following reasons: It is not "positively prepared", as it: - Has been based on a Delivery Strategy that does not "boost significantly" the provision of market and affordable housing, in line with Paragraph 47 of the Framework. Has been based on a Delivery Strategy which does not make optimum provision for employment land. It is not "justified", as it - Is not based on the most appropriate Delivery Strategy, which is the Submitted Plan Strategy. Fails to deliver sufficient housing growth for Chippenham It is not "effective", as it fails to take into consideration the housing requirements of Chippenham and thereby failing to address objectively assessed needs as required by the NPPF. It is not "consistent with national policy" as it: - Fails to significantly boost housing supply Does not meet the objectively assessed development requirements of Chippenham</p>					
Sound changes		<p>The Submitted Plan Strategy should remain the preferred approach because: the strategy outperforms the mixed strategy in the sustainability appraisal provides more homes provides more employment land. Supporting statement provides more detail to support these points (see attached)</p>					
Other comments		Additional information to support the objection is included in a supporting statement. A plan of Greensquare's interests at Methuen Park also attached.					

Attached files (Please see Objective)		Relates to SA	Yes
SA comments	The results of the Sustainability Appraisal (SA) highlight that the Submitted Plan Strategy is the preferable approach in delivering more housing; facilitating higher economic growth; and providing more employment opportunities		
	Supporting statement provides more detail to support this point (see attached)		
Themes	Delivery and Plan Strategy		

Comment ID:	114	Consultee: Phil Hardwick Robert Hitchens Ltd		Agent: Mr Mervyn Dobson H D Town Planning		Is the Plan legally compliant?	
		Person ID: 397085		Person ID: 1006176		Is the Plan sound?	No
Proposed Modification	S15	Identify part of Plan 1	Paragraph	Identify part of Plan 2	4.10- 4.24	Unsound reasons:	Justified Effective
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>Our comments are prepared on behalf of Robert Hitchins Ltd and relate to a land interest at Land North & East of Barrow Farm (strategic site option A1). To assist the Inspector we set out below a summary of our concerns relating to the soundness of the Chippenham Site Allocations Plan (CSAP) as modified, followed by a detailed review.</p> <p>Summary of comments</p> <p>The integrity of the planning system depends on rational decisions made transparently on the basis of the relevant evidence. It is considered that the site selection process on which the revised Development Strategy has been prepared is not justified as it fails to provide a coherent, equitable and transparent process for the appraisal of site options in a manner that can give full confidence that the development strategy is the most effective strategy for Chippenham. The inconsistencies and inaccuracies in the assessment of site options have failed to address the concerns or to respond to the relevant evidence, which justified the suspension of the EiP in November 2015. The Plan, as modified, remains unsound.</p> <p>The Council's revised strategy for Chippenham could be regarded as a more limited version of the original approach rather than a robust and reasonable assessment of alternatives. This flawed approach prioritised delivery of an Eastern Link Road over consideration of sustainability principles, provision of affordable housing and the deliverability of the strategy as a whole. The Council's response to the Inspector's previous concerns has simply been to reduce the scale of growth to avoid triggering the need for the full Eastern Link Road in order for this to be considered in a future plan review.</p> <p>This is a concern particularly with regard to treatment of our client's site: site option A1. The Council's principal reason for rejecting site option A1 is "primarily on environmental grounds" and because it "removes the possibility of a pattern of development following the A350 corridor". However, there are no justifiable environmental grounds for rejecting site option A1. In addition, the decision to reject and then not consider the site in further detail as part of the assessment of alternatives conflicts with the Inspector's concerns about pursuing a flawed '2 stage' process. Rejection of the site is also perverse when the Council's own evidence shows that the site performs well in accessibility terms and better than site option B1 which forms part of the preferred strategy.</p> <p>Site option A1 therefore needs to be a properly tested alternative alongside the other options proposed as part of the Council's preferred strategy. What this process would show is that there are no specific or unique environmental reasons as to why Site option A1 should not be pursued. The Council's landscape evidence identified capacity for residential development on the site and the County Ecologist supports development on the site subject to conditions. Whilst there are heritage assets near to the site (listed buildings and a conservation area), this is no different to the preferred option south of Chippenham which affects a Scheduled Monument, conservation area and number of listed buildings and where the Council's conservation officer and Historic England have raised significant concerns.</p>					

	Additional detailed information contained in supporting statement challenges the conclusions of the policy review of strategic site option A1 in relation to ecology, landscape, heritage and 'fit with economic strategy'. Further concerns are raised in relation to the new Transport and Accessibility evidence, process, viability and delivery (see attachment). .		
Sound changes			
Other comments	The modifications proposed by the Council amount to a complete re-write of the Plan which is in itself potentially grounds for the plan to be withdrawn. Irrespective of this, the site selection process and appraisal of alternative development strategies is not based on rational decision-making process. It is reliant upon an approach which fails to undertake a proper investigation of the evidence base, resulting in a flawed assessment which discounts reasonable alternatives from consideration as part of an alternative development strategy. The overall site selection process and the SA retain virtually all of the flaws contained in the earlier site selection process rejected by the Inspector.		
Attached files (Please see Objective)		4072037	Relates to SA Yes
SA comments	To meet the test of adequacy the SA of strategic sites must consider the latest evidence and ensure that sites are assessed on an equitable and comparable basis. Table 1.1 of the SA Addendum 1 sets out a summary of the scoring of the Site Options Assessment which is informed by the various evidence papers prepared in support of the CSAP. Additional information contained in supporting statement which challenges the SA of strategic site option A1 in relation to ecology, landscape and heritage. (see attachment).		
Themes	Delivery and Plan Strategy		

Comment ID:	116	Consultee: Mr T Molloy Person ID: 394945		Agent: Person ID:		Is the Plan legally compliant?	
						Is the Plan sound?	No
Proposed Modification	S15	Identify part of Plan 1	Other	Identify part of Plan 2	Transport and Accessibilty Evidence: Part 2a - Assessing Alternative Development Strategies para 4.3 plus amend the Proposed Modifications to CSAP Change no S43 and S44 regarding para 5.18	Unsound reasons:	Positively prepared
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		The most viable long term strategy is to construct a Southern Link Road to connect the A4 and A350, to complete the dualling of the A350 around Chippenham to the Lackham roundabout (the layout of this road envisaged this from the outset) and to plan economic development to the west of the A350. Development to the south and west of the town will connect more easily with the existing strategic road networks. It does not have the same detrimental environmental impacts as trying to develop to the east of the town. Finally the development ideas based around an Eastern Link Road and Northern Link Road are simply trying to ignore the enormous uncertainty of the infrastructure costs. The development will lose impetus and viability when the real costs of the necessary rail and river bridges are faced.					
Sound changes		Remove from the Chippenham Site Allocations Plan the references to the ELR as a 'long-term strategy'					
Other comments							
Attached files (Please see Objective)						Relates to SA	
SA comments		I do not comment here on the updated Sustainability Appraisal Report					
Themes		Delivery and Plan Strategy					
		Roads					

Comment ID:	128	Consultee: Mr Tom Jacques Person ID: 640562		Agent: Person ID:		Is the Plan legally compliant?	
						Is the Plan sound?	No
Proposed Modification	S69	Identify part of Plan 1	Policy CH3 (East Chippenham)	Identify part of Plan 2		Unsound reasons:	Positively prepared Justified Effective Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>As a member of the Executive of the Chippenham Chamber of Commerce, and as the former chair of the Chippenham Vision Board, I have paid attention to the development of the Chippenham Site allocations through the Core Strategy Process and through the site allocations DPD. The Chippenham Vision Board felt that it's work was done after the completion of the Chippenham Masterplan and the direction of travel set out in the Chippenham Site Allocations DPD prior to these proposed modifications. A last minute fundamental change as set out in these proposed modifications in this way is not sound.</p> <p>This response is submitted personally and on behalf of the Chippenham Chamber of Commerce. Previous responses to consultations through the Core Strategy process, dating back as far as formal responses since 2009 still apply. Significant aspects of these have not been brought forward through the proposed modifications to this DPD. The supporting documents support the view that there will be a significant benefit to network resilience, to accessibility to and congestion of the Town Centre from a link road forming part of the Eastern (or southern) development, yet this has not been taken forward in the proposed modifications, it seems due to concerns about deliverability. The concerns about deliverability of the link road do not appear to have been adequately interrogated, but lead to the omission of any road to relieve the town centre traffic. Omission of the link due to these concerns rather than adapting the site allocations to ensure the strategic effectiveness of the plan is a failure of forward planning. In particular, links to Chippenham Station from the East of the town, including Calne, are not facilitated without going through the Town Centre.</p> <p>The lack of any link road within the DPD significantly undermines the potential development and improvement of the Town Centre as set out within the masterplan as prepared by the Chippenham Vision. It undermines in particular CP9, but also CP10 of the Chippenham Core Strategy.</p>					
Sound changes		<p>The proposed modifications should follow the evidence base.</p> <p>The evidence base clearly supports the need for and effectiveness of a link road in relation to the wider strategic objectives of the Core Strategy. If there are concerns about deliverability, these should be addressed through this positive planning process. It is not justified to omit the infrastructure required to support the effective development of and potential improvements to Chippenham Town Centre because of concerns over viability that have not been adequately addressed or investigated, particularly when prior to the modifications such a link was included, in line with all of the previous evidence.</p>					
Other comments		<p>This response is not as comprehensive as I would have liked due to time constraints. I would like to put forward further, more detailed and specific comment on both my behalf, and subject to review on behalf of the Chippenham Chamber of Commerce, who have been centrally involved in the Chippenham Vision and in previous consultations on the Core Strategy to this point. I would like to participate in the oral part of the examination,</p>					

	particularly if further more detailed comment is not accepted following the end of this consultation period.		
Attached files (Please see Objective)		Relates to SA	Yes
SA comments	<p>The sustainability appraisal appears to have been reviewed too late in the process for its conclusions to be properly interrogated and verified. There has been inadequate time between the SA drawing attention to matters of viability of the link and for these concerns to be addressed. It is an incomplete response for the option including the link road to therefore have been omitted from the site allocations completely. This is not the purpose of the SA.</p> <p>The proposed modifications undermine the effectiveness of the Core Strategy in relation to the Strategic Objectives of the Core Strategy, and the potential for Chippenham Town Centre to fulfil its potential as a service centre for the wider town as a Strategic Settlement.</p>		
Themes	<p>Employment</p> <p>Roads</p>		

Comment ID:	151	Consultee: Ms Emma Powell Taylor Wimpey UK		Agent: Mr Alistair Macdonald RPS Planning & Development		Is the Plan legally compliant?	Yes
		Person ID: 1006309		Person ID: 863512		Is the Plan sound?	No
Proposed Modification	S18	Identify part of Plan 1	Policy CH1 (South West Chippenham)	Identify part of Plan 2		Unsound reasons:	Effective
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>Public Consultation on Proposed Modifications to Chippenham Site Allocations Plan Representations on behalf of Taylor Wimpey (UK) Ltd. Land at Showell Nursery, Chippenham</p> <p>1. Introduction 1.1 On behalf of our client, Taylor Wimpey (UK) Ltd, please find enclosed representations to the public consultation on the list of Proposed Modifications (PMs) to the Chippenham Site Allocations Plan (CSAP) (May 2016). Taylor Wimpey controls approximately 4.3ha of land in the south-west of Chippenham, known as Land at Showell Nursery, as illustrated on the attached Site Location Plan (Appendix 1). 1.2 The site is immediately adjacent to the Rowden Park site, which forms the main part of the South West (SW) Chippenham Site Allocation (Policy CH 1). The latter is currently the subject of an outline planning application at an advanced stage of consideration by the Local Authority (Ref: 14/12118/OUT). 1.3 As part of the Proposed Modifications (PMs), the site is proposed for inclusion in the SW Chippenham Site Allocation under Proposed Modification (PM) S18 as one of three 'Smaller Extension Sites' (SES), which together are proposed for the delivery of 400 dwellings. 1.4 Outline applications are currently under consideration by the Local Authority for development at other Site Allocations, which are set out below: East Chippenham (allocation deleted) – 15/12363/OUT; Rawlings Green – 15/12351/OUT; North Chippenham – N/12/00560/OUT; Hunters Moon – N/13/01747/FUL; North and east of Barrow Farm – 16/05640/OUT (previous application [14/10433/OUT] refused).</p> <p>1.5 However, these sites are dependent upon the delivery of the Eastern Link Road and other substantial elements of infrastructure. Moreover, we are not aware that any of the Site Allocations in the northern and eastern areas of Chippenham are under the control of any developers. Therefore, while we reserve judgement on the suitability or deliverability of these sites, there are potential risks associated with their implementation due to viability concerns. 1.6 Land at Showell Nursery is under the control of Taylor Wimpey, a national housebuilder. Development of the site is also considered to be viable, as confirmed by the Chippenham Strategic Site Viability Assessment (April 2016). It is therefore available for development to support a deliverable supply of housing land. 1.7 In addition, it should be recognised that Taylor Wimpey have instructed a professional project team to assess the constraints and opportunities that are present on the land as the first stage of bringing it forward for development. This team includes, in addition to planners, transportation</p>					

	<p>consultants, ecologists and heritage consultants. We are therefore able to confirm that, at the time of writing, there are no known issues that will prevent the site coming forward for development in the short term</p> <p>1.8 We support the principle of the site's identification as a SES and their inclusion in the CSAP under Policy CH 1 and related, supporting text, as modified by PMs S18 and S21, respectively. We also support the findings of the Sustainability Appraisal (SA), which identifies Strategic Site Option E5 as the most sustainable of the proposed Site Allocations.</p> <p>1.9 However, we object to the current wording of the PMs S18 and S21 on the basis that they fail the test of effectiveness in terms of ensuring deliverability and consequently, could potentially make the CSAP unsound. Our reasoning for this position is set out in detail below, in addition to suggested changes that we feel would improve the plan's soundness.</p> <p>4. Conclusion</p> <p>4.1 In conclusion, we support the identification of the land at Showell Nursey as a SES and confirm that it is both available and deliverable in the short term. We also support its inclusion in the CSAP under Policy CH 1 and related supporting text, as modified by PMs S18 and S21, respectively. We also support the findings of the Sustainability Appraisal (SA), which identifies Strategic Site Option E5 as the most sustainable of the proposed Site Allocations.</p> <p>4.2 However, we are concerned as to the current wording of the PMs S18 and S21 on the basis that they may fail the test of effectiveness in terms of ensuring deliverability and could therefore potentially make the CSAP unsound. We therefore seek changes, as set out in Tables 1 and 2 above, which we consider would improve the clarity and robustness of the Plan.</p>		
Sound changes			
Other comments			
Attached files (Please see Objective)		Relates to SA	Yes
SA comments	We support the findings of the Sustainability Appraisal (SA), which identifies Strategic Site Option E5 as the most sustainable of the proposed Site Allocations.		
Themes	Delivery and Plan Strategy		

Comment ID:	155	Consultee: Mr A Birch Hallam Land Management		Agent: Dr Thomas Roche Roche Associates Ltd		Is the Plan legally compliant?	Yes
		Person ID: 390145		Person ID: 902026		Is the Plan sound?	No
Proposed Modification	S15	Identify part of Plan 1	Paragraph	Identify part of Plan 2	4.14-4.15	Unsound reasons:	Positively prepared Justified Effective Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		For reasons set out in the attached representations, the revised Site Selection Procedure is considered to be flawed in that it eliminated at Step 3 without substantive evidence and in advance of Sustainability Appraisal, ‘reasonable alternatives’ that ought properly to have been considered further through Sustainability Appraisal. In consequence, potentially sustainable development options were erroneously eliminated, causing the plan to be based on a preferred strategy that is not justified either by the evidence base, including the Sustainability Appraisal.					
Sound changes		Amend Policy CH1 to allow for the inclusion within the Rowden Park Site allocation of land to the south of the Nursery, east of the B4528, west of the River Avon and north of Lackham College. The revised policy should allow for the omission site to come forward independently as an early phase overall South West Chippenham development. In the alternative, modification of Policy CH1 to include the omission site as a ‘smaller extension site’, either in addition to, or instead of, the 11 hectares of land currently identified in the policy as proposed to be modified.					
Other comments							
Attached files (Please see Objective)						Relates to SA	Yes
SA comments		For reasons set out in the attached representations, the Sustainability Appraisal is flawed in that it has failed to assess all ‘reasonable alternatives’, some of which were erroneously eliminated at Step 3 of the Site Selection Process prior to undergoing SA. In consequence, the plan does not incorporate the most sustainable development strategy, and is therefore not justified by the evidence base.					
Themes		Delivery and Plan Strategy					

Comment ID:	157	Consultee: Mr A Birch Hallam Land Management		Agent: Dr Thomas Roche Roche Associates Ltd		Is the Plan legally compliant?	Yes
		Person ID: 390145		Person ID: 902026		Is the Plan sound?	No
Proposed Modification	S17	Identify part of Plan 1	Other	Identify part of Plan 2	Figure 4.1	Unsound reasons:	Positively prepared Justified Effective Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>1.4 HLM supports the proposed modifications to the extent that a third strategic location, and Area C in particular, is no longer identified to contribute to the Core Strategy housing requirement during the current plan period to 2026. However, HLM continues to object to the Proposed Modifications to the extent to that they have failed to resolve the criticisms of the SSP/SA that caused the Inspector to suspend the Examination in November. On the contrary, for reasons that are set out below, it is HLM's view that the revised SSP exacerbates the previous concerns regarding the process of site selection, brings the exclusion of some 'reasonable alternatives' into sharper focus, and contributes to the conclusion that certain areas have not been subject to robust evaluation, and the Plan is unsound in consequence.</p> <p>2.5 For Area E (South West Chippenham) eight strategic options are initially identified in Appendix 4 to the SSR. It must therefore be assumed that each option was deemed to comply with the guiding principles set out in paragraph 3.16 of the SSR, including it being sufficiently different from other options to enable a judgement to be made about its performance against the CP10 criteria. 2.6 Option E6 incorporates the extended Area E being promoted by HLM to include land east and south of the nursery as far as, but not extending southwards of, the West Cepen Way roundabout. It is identified as providing capacity for approximately 1,785 dwellings, which is sufficient to accommodate all of the residual capacity identified in the revised requirement (Proposed Modification S13). 2.7 Option E6 is rejected at Step 3 and not taken forward for sustainability appraisal. The only reason given for its rejection is found at paragraph 3.35 of the SSR and is that: Site Options E6 and E7 would deliver the whole Plan requirement for housing and require the promoters of up to 10 SHLAA sites to cooperate in its coordinated delivery. Within the remaining time period of the Plan to 2026 this is not considered achievable. These site options have therefore not been taken forward.</p> <p>2.8 The only difference between Options E6 and E7 is that Option E7 includes land beyond that promoted by HLM to the south of the West Cepen Way roundabout. The reasons for rejecting Options E6 and E7 at Step 3 are summarised in the table at paragraph 3.38, and are identical except for the fact that Option E7 comprises an additional SHLAA promoter.</p> <p>2.9 The rationale for rejecting Option E6 at Step 3 is considered to be perverse, wholly unsupported by the evidence base, and therefore untenable. Essentially, Option E6 comprises Option E5 plus the land the subject of HLM's promotion. Option E5 comprises the selected option that is incorporated in the proposed modifications. 2.10 The evidence base in Appendix 4 to the SSR is that: There is already active developer interest in Strategic Area E. Two planning applications which in combination are based on the previous Strategic Site Option E2 ... are already under consideration. ... (SSR Appendix 4, page, 55)</p>					

In representations to the emerging CSAP developers are also promoting sites to the west of the B4528 and the railway land (SHLAA sites 504 and 639), at the Showell Nurseries (SHLAA site 472) and adjacent to Lackham Roundabout on the A350 (SHLAA sites 473 and 808). Land is therefore readily available. (SSR, Appendix 4, page 56 – **emboldening added**)

2.11 The rejection of Option E6 on the basis that it is not achievable is therefore wholly unsupported by the evidence. It is tacitly accepted that the 7 promoters of the land comprised within Option E5 can deliver the required yield from that Option during the Plan period. Given that Option E6 is simply the addition of land to the south that is being actively promoted by an intending developer through the current Plan, the evidence indicates that there is little, if any, risk of the larger allocation comprising one additional site promoter being unachievable during the plan period.

2.12 The Council's position would appear even more untenable and unsubstantiated by evidence when considering Option E3. That option essentially comprises Option E7, minus the smaller extension sites that are included in the allocation as now proposed in the modifications. Option E3 is not excluded on the basis of it being unachievable during the Plan period, and is taken forward for SA, confirming the Council's acceptance that SHLAA site 473 is achievable in conjunction with the wider mixed use allocation (Option E2) that was allocated in the Submission Draft Plan. It therefore confirms that there are no deliverability issues affecting HLM's land being included in a larger South- West Chippenham allocation that extends the allocation in the submission draft Plan.

2.13 The evidence therefore suggests that, if there are any deliverability issues, they affect the smaller extension sites that are now included in Option E5, which coincides with the revised allocation as contained in the Proposed Modifications. This would seem to be endorsed later in the site selection process, at Step 5, where a slower delivery of the nursery site is alluded to in view of its 'brownfield' status with potential contamination issues (SSR, paras. 5.50 and 5.54), and potential noise issues affecting SHLAA sites 639 and 504 adjacent to the railway (SSR, para. 5.54). Therefore, the only reason for exclusion of the HLM land from proceeding to Step 4 and SA, seems to be because it was included in an Option that contains other elements that are of uncertain deliverability.

2.14 However, even the above attempt to explain the apparent irrational rejection of Option E6 breaks down when considering that Option E5 includes the SHLAA sites that have the potential to constrain overall deliverability. Moreover, the development strategy of the South West Chippenham site in the Proposed Modifications effectively prevents the smaller extension sites from acting as a brake on the overall development since it provides for them to come forward independently from the predominant (Rowden Park) part of the site, at a later stage and exempts them from any requirement to form part of the overall Masterplan (see Modification S21).

2.15 The conclusion is therefore that there is no substantive evidence that justifies exclusion of Option 6 at Step 3 for the reasons adduced in the SSR, being that it would be unachievable during the Plan period. The Council's rejection of Option E6 would appear to be wholly unsupported by evidence, and therefore untenable, given that it is accepted that:

- Option E5 is achievable
- Option E3 is achievable
- The smaller urban extension sites included in Option 5 can come forward independently of the overall allocation.
- SHLAA site 473 (comprising the site being promoted by HLM) is available.

2.16 Through taking Option E3 forward for consideration beyond Step 3 the Council tacitly accepts that HLM's promotion site is achievable in conjunction with the predominant part of the South West Chippenham allocation. Moreover, given its position at the southern extremity of the overall development area, there is no reason why it cannot be delivered as an early phase, possibly independently from the wider development area similarly to the smaller extension sites, but with the potential to integrate with it in due course. That effectively negates any issue that the addition of another SHLAA site could possibly affect the achievability of the strategic site option within the plan period.

2.17 Throughout the SSR the Council has afforded significant weight to the deliverability of sites that are being actively promoted by developers (as is confirmed by the table at paragraph 3.39). There is no substantive evidence whatsoever to explain why a development option that comprises the Council's selected development option plus one additional SHLAA site that is being actively promoted by a developer, is unachievable. The hypothetical and unsubstantiated concerns that led to the elimination of Option E6, compare and contrast with real the requirement, and associated risks, for landowner cooperation in connection with Option B1 as acknowledged by the Council in Step 8. In the SSR it is acknowledged (at Step 8) that there are significant risks to the delivery of Option B1 relating to landscape and visual impacts, road infrastructure and viability, with the latter two risks arising from the requirement for co-operation of third party landowners for purposes of delivering the two access points to the development.

2.18 For the foregoing reasons HLM concludes that the rejection of Option E6 at Step 3 is unsupported by evidence, irrational and therefore untenable. Moreover, it is completely inconsistent with the attitude towards risk associated with other, selected options at Step 8. In rejecting a

	<p>'reasonable alternative' that ought properly to have been taken forward to Step 4 and subject to sustainability appraisal, it is HLM's view that the SSP is flawed. Since a sequential process is followed it means that a fundamental error at one step in the process effectively invalidates the conclusions of the overall process and outputs therefrom. It means that, once again, reasonable alternatives have not been given proper consideration and, in consequence, the sustainability appraisal has been inadequate since sites that might well have scored highly have been excluded from consideration.</p> <p>2.19 The Council's response to this is likely to be that SHLAA site 473 was considered as part of Option E3 that was taken forward for SA. However, for reasons set out in HLM's previous representations (see Annex 1), and considered further below, consideration of SHLAA site 473 as part of a larger development option that extends to the south of the West Cepen Way roundabout, fails to give proper consideration to its sustainability credentials as a development option in its own right.</p> <p>3.1 One of HLM's principal objections to the Submission Draft CSAP was that the SSR had not specifically considered the option of extending the South West Chippenham allocation as far as the West Cepen Way roundabout, but not beyond that limit. By including HLM's land in a larger option taking in the rising land to the south of the West Cepen Way roundabout, it was considered that the merits of an intermediate extension had not been properly considered, and the landscape implications of continuing the allocation to the south of the West Cepen Way roundabout had skewed the assessment.</p> <p>3.2 A critique of the landscape evidence base and evaluation of the intermediate option accompanied HLM's submissions (see Annex 1). It concluded that inclusion of land to the south was the principal reason why the intermediate option had been rejected, and that there was no justification on landscape grounds for not extending the allocation to the line of the West Cepen Way roundabout, which coincided with point at which land to the south starts to rise. The landscape evidence on which the site selection was based simply does not support exclusion of the flat land as far as the West Cepen Way roundabout from the strategic site allocation.</p> <p>3.3 By excluding Option E6 at Step 3, and taking forward only Option E3 for sustainability appraisal, the SSR once again fails to properly assess all reasonable alternatives. It is surprising, bearing in mind the criticism previously raised by HLM, that it has not been properly appraised. It is even more surprising in the light of the preliminary high level sustainability appraisal and assessments of the strategic areas in Steps 1 and 2 in which Area E was found to be the least sensitive in landscape terms compared with Area B which was identified as being the most prominent, with difficulties of mitigating any impacts in view of the area's raised position.</p> <p>3.4 The findings of the high level sustainability appraisal and assessments of the strategic areas assume heightened significance when considering the reason for sustainability appraisal of Option E3 undertaken at Step 4 of the SSP. The SA found as follows: Overall, the assessment demonstrates that no major adverse effects are expected to arise from this site option development. A number of moderate and minor adverse effects are identified, so too are beneficial effects related to socio-economic SA objectives. (Addendum 1: SA of Strategic Site Options, para. 1.15.1) The landscape impacts of development on this site is a significant sustainability issue that would need to be resolved to take forward this option. It is recommended that the extent of the indicative proposed green space in the south east of the site would need to be increased. Should this issue be satisfactorily resolved, this option has the potential to offer significant economic benefits together with relatively low levels of environmental impact making it a higher sustainability performance option. (Addendum 1: SA of Strategic Site Options, para. 1.15.8) 3.5 In the overall conclusion to the Addendum 1 of the SA, Option E3 was included amongst the more sustainable options for development for consideration in the development of the preferred development strategy, subject to resolution of the significant sustainability issues (paras. 1.17.3- 1.17.4). 3.6 It is clear from consideration of the Option E3 map (Addendum 1, Figure 1.13, page 23) that the landscape impacts of concern relate to the rising land to the south of the West Cepen Way roundabout where the proposed green buffer to the east of the suggested allocation is much reduced, compared with the remainder of the development area to the north, including HLM's promotion site, where there is a substantial landscape buffer coinciding with the flood plain to the east. That this is the essential difference between Options E5 and E3 is confirmed in Table 1.1 of the SA of Strategic Site Options in which the only difference between the respective scores is in relation to 'landscape' and SA Objective SO7. Option E5 is assessed as having a 'minor adverse effect' compared with Option E3 that is assigned a 'moderate adverse effect'. Other than this, the assessment of the two options is identical. 3.7 That the difference between the assessment of the landscape impacts arises from the inclusion in Option E3 of the rising land to the south of the West Cepen Way roundabout, is clear from the specific assessment</p>
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	<p>relating to Option E3:</p> <p>The increased extent of residential development in Option E3 results in a moderate adverse effect against one environmental SA objective (landscape, SO7). This stems from the indicative green space proposed at the southern extent of the site not being sufficiently wide to adequately screen the effects of development on the local landscape character and visual amenity (Addendum 1: SA of Strategic Site Options, para. 1.15.3 – emphasis added) Since the much reduced width of the indicative green space at the southern extent of the site coincides with the rising land to the south of the West Cepen Way roundabout, it follows that, if the site is curtailed at the line of the West Cepen Way roundabout, this objection is resolved. It can therefore be inferred that, in landscape terms, Option E6 performs identically to Option E5, and therefore in overall terms, had Option E6 been taken forward to SA, its overall score would have been identical to Option E5.</p> <p>3.8 Following sustainability appraisal and SWOT analysis in Steps 4 and 5 respectively, Option E3 was rejected at Step 6, principally because of its</p> <p>"... landscape impact encroaching on more remote and attractive environments ..." (SSR, para. 6.36), in addition to which it was deemed to contain the largest amount of land in a location with weak access to the town centre, railway station and leisure facilities. Therefore, once again, the land promoted by HLM was rejected principally on the basis of concerns pertaining to land to the south of the West Cepen Way roundabout. Had Option E6 been taken forward for assessment through Steps 4 and 5, it is unlikely to have given rise to the same objections, and may well have survived Stage 6. 3.9 It is pertinent to note that, having rejected further site options, the analysis in Step 6 then introduces alternative development scenarios, including two involving permutations of site options allied to possible link road options. It's unclear from where the notional link road alignments have arisen, and this does not appear to be explained in the documentation. However, it appears that they have been retrofitted to the surviving site options, rather than been integral to the selection of the options themselves. 3.10 The retrofitting of link road alignments to pre-selected site options is considered to be a further flaw in the SSP. In the case of the SLR, it results in an alignment that runs unnecessarily close to the Rowden Conservation Area, and also it would not seem to assume an optimal alignment to relieve through-traffic from the A4, in which respect a direct connection to the West Cepen Way roundabout would seem to be optimal. A critique of the link road provisions on which the options are based is included as Annex 2 to these representations. That critique also challenges the conclusions of the Supplementary Transport and Accessibility Evidence (Part 1a) in relation to Option E6.</p> <p>3.11 There is no evidence that reasonable alternative SLR alignments or performance standards have been properly modelled and considered, or been subject to sustainability appraisal. A more southern route and/or higher speed limit for the SLR as illustrated in HLM's submissions might be a more sustainable option in terms of both minimising impacts on heritage assets and in transportation terms. This could have further enhanced the case for Option E6 being taken forward together with other rejected options in Area D.</p> <p>3.12 It is also evident that Step 6 involves further consideration of the deliverability of the surviving options. For example, Option E3 is held to involve a scale of development that would concentrate land supply on one location to the detriment of housing choice and prospects for achieving rates of development sought to meet indicative requirements (para. 6.37). However, this is based on assertion and there is no evidence to support this conclusion. There is no testing of development scenarios, including development proceeding simultaneously from the north and south by different promoters.</p> <p>Conclusions on SSP</p> <p>4.1 As alluded to earlier, a more complicated SSP does not necessarily result in a more robust outcome. Moreover, a sequential process involving a greater number of steps carries with it the inherent risks that flaws at one step in the process will result in the outputs from the entire process being invalidated. That seems to be the case here.</p> <p>4.2 In HLM's view the elimination of reasonable alternatives at Step 3 on the basis of supposition regarding their deliverability, which is unsubstantiated, unsupported by clear evidence, and with demonstrable inconsistencies between the assessments of different options, is a significant flaw in the process. It means that potentially sustainable development options have not been subject to sustainability appraisal, and the options taken forward for appraisal are not justified by it. The flaws and inconsistencies in the process are demonstrated and corroborated by the fact that Option B1, which is accepted to be the most sensitive in landscape terms and subject to genuine deliverability risks owing to the third party land ownerships involved in the access arrangements, survived Step 3 and was taken forward for sustainability appraisal, whereas Option</p>
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	<p>E6, which is much less sensitive in landscape terms and in the location that the high level sustainability appraisal indicated to be the most appropriate for development, was not.</p> <p>4.3 The elimination of reasonable options at Step 3 prior to sustainability appraisal at Steps 4 and 5 therefore represents a significant flaw in the revised SSP. Having identified 'reasonable alternatives', all of the alternatives identified ought properly to have been taken forward for sustainability appraisal prior to elimination of any options on the basis of concerns regarding their undeliverability. Any options that rank highly following sustainability appraisal should only be eliminated on grounds of undeliverability in the event of there being robust evidence to demonstrate that there is no prospect of those options yielding their capacity during the plan period.</p> <p>4.4 The evidence relied on in the SSP, and in particular in rejecting Option E6, comprised little more than supposition regarding a correlation between the number of promoters involved and delivery failures. There is no necessary connection between the two, particularly where it is clear that sites are being actively promoted, and indeed can be brought forward in parallel with other parts of an overall allocation.</p> <p>4.5 The Council's rejection of Option E6 is perverse and, quite simply, wrong. Having accepted it's deliverability as part of Option E3, as well as the deliverability of the other land interests comprising Option E6 having accepted Option E5, the latter comprising the option that has been allocated in the Proposed Modifications, it is completely irrational to reject Option E6 on the basis of deliverability concerns regarding the number of SHLAA interests involved in that option. This is compounded having regard to the fact that the additional SHLAA interest included in Option E6 (site 473) lends itself to early and independent delivery at the southern end of the overall development area.</p> <p>4.6 It is clear that the deliverability concerns relate to the smaller extension sites that have been added to the originally preferred Option (E2), comprising SHLAA sites 504, 639 and 472. However, the Council's solution to this in including them in the currently preferred option (E5), is to exclude them from the overall masterplan and allow them to come forward independently as they become available. It is therefore unclear how adding in SHLAA site 473, a site that is being actively promoted by a developer and which can form an early phase of development in the south of the allocation area, can reasonably be held to increase the risks of delivery failures. On the contrary, adding in SHLAA site 473 would reduce the risks of a shortfall in delivery from the South West Chippenham allocation in the event that SHLAA sites 504, 639 and/or 472 do not come forward. If there are genuine risks relating to the deliverability of the latter three sites, then Option E5 should have been rejected at Step 3 on the basis of the approach in the revised SSP, and a revised Option E6 comprising Option E2 plus SHLAA site 473 taken forward for sustainability appraisal.</p> <p>4.7 It is not a defence to argue that SHLAA site 473 has been subject to sustainability appraisal as part of Option E3. It is quite clear from the evidence base that an option that includes land to the south of the West Cepen Way roundabout gives rise to a very different outcome from the SA than one that does not extend onto the rising land to the south. An option that extends as far as, but no further than, the West Cepen Way roundabout is therefore a 'reasonable alternative' that, once again, has not been properly tested through SA. It was erroneously rejected at Step 3 without clear supporting evidence.</p> <p>4.8 It is interesting to note from the SSP that, following SA, there is further testing of the surviving options in terms of their deliverability at Step 6. This is a more appropriate stage at which to test options that perform well through the SA, and which should only then be rejected if there is clear and incontrovertible evidence that they are unable to yield their capacity during the plan period. The SSP is therefore flawed in testing options in this regard at Step 3, and which in consequence invalidates the entire procedure since the errors carry through to affect each subsequent stage.</p> <p>4.9 The introduction at Step 6 of notional link road alignments into permutations of surviving options, and which are then incorporated as development strategies for further testing, is also not considered to be a sound approach. There is little evidence to justify the selection of link road alignments, or of the testing of options which themselves have been subject to SA. In the case of the SLR, the notional alignment shown could impact adversely on the Rowden Conservation Area, and may not achieve the most appropriate connection with the existing strategic highway network. A more southerly alignment that connects directly to the West Cepen Way roundabout and routes away from the Conservation Area may well be more appropriate, but which does not appear to have been properly considered or tested through SA. A more southerly route, which could provide a new and robust southern limit to the town as the A350 has done to the west, could influence the choice of site options to be included in the development strategies for further testing, and would further strengthen the case for including SHLAA site 473 as a 'reasonable alternative'.</p> <p>4.10 The SSP would therefore appear to be further flawed in its attempt to retrofit link road alignments to pre-selected development options rather than being integral to the process of selecting the development options themselves, with appropriate SA of alternative road alignments.</p>
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	<p>5. Overall Conclusions</p> <p>5.1 Having regard to the foregoing submissions, the overall conclusion can be summarised as follows: • The revised SSP is flawed in its methodology since, having identified ‘reasonable alternatives’, it fails to subject all such alternatives to sustainability appraisal. • The SA is therefore flawed since it fails to appraise all ‘reasonable alternatives’.</p> <p>Since potentially sustainable options are eliminated without being subjected to SA, the outcome of the SSP is potentially a development strategy that is not robustly justified by the SA. • The rejection of ‘reasonable alternatives’ at Step 3 is not supported by robust evidence. • Since the SSP is based on a ‘stepwise’ procedure, the procedural error at Step 3 results in the entire process being flawed. 5.2 As a result of the flaws in the SSP, the allocations contained in the draft Plan are unsound.</p> <p>Ipsa facto, since the allocations are the essence of the Plan, the plan itself is unsound. 5.3 The Council is incorrect in its assumption that the risks of delivery failure increase commensurately with the number of SHLAA interests involved in a development option. The key issue is the commitment of the relevant interests to bringing land forward. In this respect, in the case of Area E, there is no evidence on which to base a conclusion that Option E6, incorporating one additional interest compared with the preferred option, E5, and who are actively promoting the site, is undeliverable. Indeed, inclusion of SHLAA site 473 is a safer option bearing in mind that the only uncertainties identified by the Council relate to the smaller extension sites that have been added to Option E2 resulting in Option E5. 5.4 The revised SSP therefore appears unnecessarily complicated, inconsistent and repetitive in that similar matters are considered at different stages in relation to different options. In part because of this, ‘reasonable alternatives’ comprising potentially sustainable options are prematurely and inappropriately eliminated, and are not taken forward for assessment against other alternatives through SA. As a result, not only is the SSP flawed, but the plan is potentially not justified by the SA. 5.5 As the Council acknowledges in the SSR (para. 3.35), Option E6 could deliver the whole plan requirement for housing. Under the SSP that underpinned the CSAP Submission Draft, further strategic areas were only deemed necessary in the event that the plan requirement could not be accommodated in the first preferred area. Notwithstanding that the revised SSP does not contain that explicit presumption, proper application and justification of the plan through the SA would result in that consequence. It is therefore imperative that all ‘reasonable alternatives’ are robustly assessed, and those that perform best through the SA only eliminated in favour of worse performing</p> <p>alternatives where there is robust evidence that the preferred option will not deliver the plan requirements. 5.6 In this instance it is important to bear in mind that the Development Plan comprises both the Wiltshire Core Strategy (WCS) and the CSAP. A substantial part of the overall requirement for Chippenham will be met through the committed sites at North Chippenham and Hunter’s Moon, and any sites that are allocated in the CSAP will be in addition to those commitments. Therefore, even if only one major additional site is now allocated in the CSAP, there will be a choice of sites and development locations in Chippenham. Given the limited length of the remaining plan period, it would seem likely that a fourth development location, and particularly one that relies on significant road infrastructure, including that associated with an earlier development phase, with complexities caused by third party ownerships and railway crossings, gives rise to greater risks of non-delivery than an extended allocation at Area E that can be developed at an early stage and independently from the remainder of the development area. 5.7 For all of the foregoing reasons it is concluded that the CSAP Proposed Modifications will not lead to a sound plan since it fails to satisfy the tests of soundness set out in the NPPF (para. 182): • The plan is not positively prepared in that it does not seek to ‘meet’ objectively assessed needs. In particular, it relies on additional sites in Area E that are of uncertain deliverability during the plan period, and a fourth strategic area that is highly sensitive in landscape terms, and therefore of uncertain capacity, requires significant highway infrastructure, and is dependent on the prior development of another strategic site. • The plan is not sufficiently justified in that the SSP on which it is based is flawed, failing to test all reasonable alternatives on a proper basis, eliminating some reasonable alternatives without undergoing sustainability appraisal, based on supposition rather than clear evidence, and the plan in consequence</p>
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	<p>is not based on the most sustainable development strategy. • The plan is not effective since it is of uncertain deliverability during the remainder of the plan period in that it eliminates sustainable development options on the basis of erroneous suppositions regarding their deliverability, includes alternatives that are of dubious deliverability, and does not incorporate the most sustainable development strategy since the both SSP and SA are flawed.</p> <p>The plan is not consistent with national policy in that it would not 'boost significantly' the supply of housing through, inter alia, using the evidence base to ensure that it 'meets' the full objectively assessed needs for market and affordable housing. To the extent that the allocation strategy risks delivery failures, and prefers locations in which there would be greater landscape impacts ahead of those with greater capacity to accommodate development, the plan would fail to progress economic, social and environmental gains simultaneously, and which are central to achieving sustainable development.</p>		
Sound changes	Amend Figure 4.1 to include land to the south of the Nursery, east of the B4528, west of the River Avon and north of Lackham College as identified on the plan at Annex1, Appendix 1 to the attached representations.		
Other comments			
Attached files (Please see Objective)		Relates to SA	Yes
SA comments	<p>For reasons set out in the attached representations, the Sustainability Appraisal is flawed in that it has failed to assess all 'reasonable alternatives', some of which were erroneously eliminated at Step 3 of</p> <p>the Site Selection Process prior to undergoing SA. In consequence, the plan does not incorporate the most sustainable development strategy, and is therefore not justified by the evidence base.</p>		
Themes	Delivery and Plan Strategy		

Comment ID:	163	Consultee: Mr A Birch Hallam Land Management		Agent: Dr Thomas Roche Roche Associates Ltd		Is the Plan legally compliant?	Yes
		Person ID: 390145		Person ID: 902026		Is the Plan sound?	No
Proposed Modification	S18	Identify part of Plan 1	Policy CH1 (South West Chippenham)	Identify part of Plan 2	Smaller Extension Sites	Unsound reasons:	Positively prepared Justified Effective Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>See attached sheets</p> <p>1.4 HLM supports the proposed modifications to the extent that a third strategic location, and Area C in particular, is no longer identified to contribute to the Core Strategy housing requirement during the current plan period to 2026. However, HLM continues to object to the Proposed Modifications to the extent to that they have failed to resolve the criticisms of the SSP/SA that caused the Inspector to suspend the Examination in November. On the contrary, for reasons that are set out below, it is HLM's view that the revised SSP exacerbates the previous concerns regarding the process of site selection, brings the exclusion of some 'reasonable alternatives' into sharper focus, and contributes to the conclusion that certain areas have not been subject to robust evaluation, and the Plan is unsound in consequence.</p> <p>2.5 For Area E (South West Chippenham) eight strategic options are initially identified in Appendix 4 to the SSR. It must therefore be assumed that each option was deemed to comply with the guiding principles set out in paragraph 3.16 of the SSR, including it being sufficiently different from other options to enable a judgement to be made about its performance against the CP10 criteria. 2.6 Option E6 incorporates the extended Area E being promoted by HLM to include land east and south of the nursery as far as, but not extending southwards of, the West Cepen Way roundabout. It is identified as providing capacity for approximately 1,785 dwellings, which is sufficient to accommodate all of the residual capacity identified in the revised requirement (Proposed Modification S13). 2.7 Option E6 is rejected at Step 3 and not taken forward for sustainability appraisal. The only reason given for its rejection is found at paragraph 3.35 of the SSR and is that: Site Options E6 and E7 would deliver the whole Plan requirement for housing and require the promoters of up to 10 SHLAA sites to cooperate in its coordinated delivery. Within the remaining time period of the Plan to 2026 this is not considered achievable. These site options have therefore not been taken forward.</p> <p>2.8 The only difference between Options E6 and E7 is that Option E7 includes land beyond that promoted by HLM to the south of the West Cepen Way roundabout. The reasons for rejecting Options E6 and E7 at Step 3 are summarised in the table at paragraph 3.38, and are identical except for the fact that Option E7 comprises an additional SHLAA promoter.</p> <p>2.9 The rationale for rejecting Option E6 at Step 3 is considered to be perverse, wholly unsupported by the evidence base, and therefore untenable. Essentially, Option E6 comprises Option E5 plus the land the subject of HLM's promotion. Option E5 comprises the selected option that is incorporated in the proposed modifications. 2.10 The evidence base in Appendix 4 to the SSR is that:</p>					

	<p>There is already active developer interest in Strategic Area E. Two planning applications which in combination are based on the previous Strategic Site Option E2 ... are already under consideration. ... (SSR Appendix 4, page, 55)</p> <p>In representations to the emerging CSAP developers are also promoting sites to the west of the B4528 and the railway land (SHLAA sites 504 and 639), at the Showell Nurseries (SHLAA site 472) and adjacent to Lackham Roundabout on the A350 (SHLAA sites 473 and 808). Land is therefore readily available. (SSR, Appendix 4, page 56 – emboldening added)</p> <p>2.11 The rejection of Option E6 on the basis that it is not achievable is therefore wholly unsupported by the evidence. It is tacitly accepted that the 7 promoters of the land comprised within Option E5 can deliver the required yield from that Option during the Plan period. Given that Option E6 is simply the addition of land to the south that is being actively promoted by an intending developer through the current Plan, the evidence indicates that there is little, if any, risk of the larger allocation comprising one additional site promoter being unachievable during the plan period.</p> <p>2.12 The Council's position would appear even more untenable and unsubstantiated by evidence when considering Option E3. That option essentially comprises Option E7, minus the smaller extension sites that are included in the allocation as now proposed in the modifications. Option E3 is not excluded on the basis of it being unachievable during the Plan period, and is taken forward for SA, confirming the Council's acceptance that SHLAA site 473 is achievable in conjunction with the wider mixed use allocation (Option E2) that was allocated in the Submission Draft Plan. It therefore confirms that there are no deliverability issues affecting HLM's land being included in a larger South- West Chippenham allocation that extends the allocation in the submission draft Plan.</p> <p>2.13 The evidence therefore suggests that, if there are any deliverability issues, they affect the smaller extension sites that are now included in Option E5, which coincides with the revised allocation as contained in the Proposed Modifications. This would seem to be endorsed later in the site selection process, at Step 5, where a slower delivery of the nursery site is alluded to in view of its 'brownfield' status with potential contamination issues (SSR, paras. 5.50 and 5.54), and potential noise issues affecting SHLAA sites 639 and 504 adjacent to the railway (SSR, para. 5.54). Therefore, the only reason for exclusion of the HLM land from proceeding to Step 4 and SA, seems to be because it was included in an Option that contains other elements that are of uncertain deliverability.</p> <p>2.14 However, even the above attempt to explain the apparent irrational rejection of Option E6 breaks down when considering that Option E5 includes the SHLAA sites that have the potential to constrain overall deliverability. Moreover, the development strategy of the South West Chippenham site in the Proposed Modifications effectively prevents the smaller extension sites from acting as a brake on the overall development since it provides for them to come forward independently from the predominant (Rowden Park) part of the site, at a later stage and exempts them from any requirement to form part of the overall Masterplan (see Modification S21).</p> <p>2.15 The conclusion is therefore that there is no substantive evidence that justifies exclusion of Option 6 at Step 3 for the reasons adduced in the SSR, being that it would be unachievable during the Plan period. The Council's rejection of Option E6 would appear to be wholly unsupported by evidence, and therefore untenable, given that it is accepted that:</p> <ul style="list-style-type: none"> • Option E5 is achievable • Option E3 is achievable • The smaller urban extension sites included in Option 5 can come forward independently of the overall allocation. • SHLAA site 473 (comprising the site being promoted by HLM) is available. <p>2.16 Through taking Option E3 forward for consideration beyond Step 3 the Council tacitly accepts that HLM's promotion site is achievable in conjunction with the predominant part of the South West Chippenham allocation. Moreover, given its position at the southern extremity of the overall development area, there is no reason why it cannot be delivered as an early phase, possibly independently from the wider development area similarly to the smaller extension sites, but with the potential to integrate with it in due course. That effectively negates any issue that the addition of another SHLAA site could possibly affect the achievability of the strategic site option within the plan period.</p> <p>2.17 Throughout the SSR the Council has afforded significant weight to the deliverability of sites that are being actively promoted by developers (as is confirmed by the table at paragraph 3.39). There is no substantive evidence whatsoever to explain why a development option that comprises the Council's selected development option plus one additional SHLAA site that is being actively promoted by a developer, is unachievable. The hypothetical and unsubstantiated concerns that led to the elimination of Option E6, compare and contrast with real the requirement, and associated risks, for landowner cooperation in connection with Option B1 as acknowledged by the Council in Step 8. In the SSR it is acknowledged (at Step 8) that there are significant risks to the delivery of Option B1 relating to landscape and visual impacts, road infrastructure and viability, with the latter two risks arising from the requirement for co-operation of third party landowners for purposes of delivering the two access points to the development.</p>
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	<p>2.18 For the foregoing reasons HLM concludes that the rejection of Option E6 at Step 3 is unsupported by evidence, irrational and therefore untenable. Moreover, it is completely inconsistent with the attitude towards risk associated with other, selected options at Step 8. In rejecting a 'reasonable alternative' that ought properly to have been taken forward to Step 4 and subject to sustainability appraisal, it is HLM's view that the SSP is flawed. Since a sequential process is followed it means that a fundamental error at one step in the process effectively invalidates the conclusions of the overall process and outputs therefrom. It means that, once again, reasonable alternatives have not been given proper consideration and, in consequence, the sustainability appraisal has been inadequate since sites that might well have scored highly have been excluded from consideration.</p> <p>2.19 The Council's response to this is likely to be that SHLAA site 473 was considered as part of Option E3 that was taken forward for SA. However, for reasons set out in HLM's previous representations (see Annex 1), and considered further below, consideration of SHLAA site 473 as part of a larger development option that extends to the south of the West Cepen Way roundabout, fails to give proper consideration to its sustainability credentials as a development option in its own right.</p> <p>3.1 One of HLM's principal objections to the Submission Draft CSAP was that the SSR had not specifically considered the option of extending the South West Chippenham allocation as far as the West Cepen Way roundabout, but not beyond that limit. By including HLM's land in a larger option taking in the rising land to the south of the West Cepen Way roundabout, it was considered that the merits of an intermediate extension had not been properly considered, and the landscape implications of continuing the allocation to the south of the West Cepen Way roundabout had skewed the assessment.</p> <p>3.2 A critique of the landscape evidence base and evaluation of the intermediate option accompanied HLM's submissions (see Annex 1). It concluded that inclusion of land to the south was the principal reason why the intermediate option had been rejected, and that there was no justification on landscape grounds for not extending the allocation to the line of the West Cepen Way roundabout, which coincided with point at which land to the south starts to rise. The landscape evidence on which the site selection was based simply does not support exclusion of the flat land as far as the West Cepen Way roundabout from the strategic site allocation.</p> <p>3.3 By excluding Option E6 at Step 3, and taking forward only Option E3 for sustainability appraisal, the SSR once again fails to properly assess all reasonable alternatives. It is surprising, bearing in mind the criticism previously raised by HLM, that it has not been properly appraised. It is even more surprising in the light of the preliminary high level sustainability appraisal and assessments of the strategic areas in Steps 1 and 2 in which Area E was found to be the least sensitive in landscape terms compared with Area B which was identified as being the most prominent, with difficulties of mitigating any impacts in view of the area's raised position.</p> <p>3.4 The findings of the high level sustainability appraisal and assessments of the strategic areas assume heightened significance when considering the reason for sustainability appraisal of Option E3 undertaken at Step 4 of the SSP. The SA found as follows: Overall, the assessment demonstrates that no major adverse effects are expected to arise from this site option development. A number of moderate and minor adverse effects are identified, so too are beneficial effects related to socio-economic SA objectives. (Addendum 1: SA of Strategic Site Options, para. 1.15.1) The landscape impacts of development on this site is a significant sustainability issue that would need to be resolved to take forward this option. It is recommended that the extent of the indicative proposed green space in the south east of the site would need to be increased. Should this issue be satisfactorily resolved, this option has the potential to offer significant economic benefits together with relatively low levels of environmental impact making it a higher sustainability performance option. (Addendum 1: SA of Strategic Site Options, para. 1.15.8) 3.5 In the overall conclusion to the Addendum 1 of the SA, Option E3 was included amongst the more sustainable options for development for consideration in the development of the preferred development strategy, subject to resolution of the significant sustainability issues (paras. 1.17.3- 1.17.4). 3.6 It is clear from consideration of the Option E3 map (Addendum 1, Figure 1.13, page 23) that the landscape impacts of concern relate to the rising land to the south of the West Cepen Way roundabout where the proposed green buffer to the east of the suggested allocation is much reduced, compared with the remainder of the development area to the north, including HLM's promotion site, where there is a substantial landscape buffer coinciding with the flood plain to the east. That this is the essential difference between Options E5 and E3 is confirmed in Table 1.1 of the SA of Strategic Site Options in which the only difference between the respective scores is in relation to 'landscape' and SA Objective SO7. Option E5 is assessed as having a 'minor adverse effect' compared with Option E3 that is assigned a 'moderate adverse</p>
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	<p>effect'. Other than this, the assessment of the two options is identical. 3.7 That the difference between the assessment of the landscape impacts arises from the inclusion in Option E3 of the rising land to the south of the West Cepen Way roundabout, is clear from the specific assessment relating to Option E3:</p> <p>The increased extent of residential development in Option E3 results in a moderate adverse effect against one environmental SA objective (landscape, SO7). This stems from the indicative green space proposed at the southern extent of the site not being sufficiently wide to adequately screen the effects of development on the local landscape character and visual amenity (Addendum 1: SA of Strategic Site Options, para. 1.15.3 – emphasis added) Since the much reduced width of the indicative green space at the southern extent of the site coincides with the rising land to the south of the West Cepen Way roundabout, it follows that, if the site is curtailed at the line of the West Cepen Way roundabout, this objection is resolved. It can therefore be inferred that, in landscape terms, Option E6 performs identically to Option E5, and therefore in overall terms, had Option E6 been taken forward to SA, its overall score would have been identical to Option E5.</p> <p>3.8 Following sustainability appraisal and SWOT analysis in Steps 4 and 5 respectively, Option E3 was rejected at Step 6, principally because of its</p> <p>"... landscape impact encroaching on more remote and attractive environments ..." (SSR, para. 6.36), in addition to which it was deemed to contain the largest amount of land in a location with weak access to the town centre, railway station and leisure facilities. Therefore, once again, the land promoted by HLM was rejected principally on the basis of concerns pertaining to land to the south of the West Cepen Way roundabout. Had Option E6 been taken forward for assessment through Steps 4 and 5, it is unlikely to have given rise to the same objections, and may well have survived Stage 6. 3.9 It is pertinent to note that, having rejected further site options, the analysis in Step 6 then introduces alternative development scenarios, including two involving permutations of site options allied to possible link road options. It's unclear from where the notional link road alignments have arisen, and this does not appear to be explained in the documentation. However, it appears that they have been retrofitted to the surviving site options, rather than been integral to the selection of the options themselves. 3.10 The retrofitting of link road alignments to pre-selected site options is considered to be a further flaw in the SSP. In the case of the SLR, it results in an alignment that runs unnecessarily close to the Rowden Conservation Area, and also it would not seem to assume an optimal alignment to relieve through-traffic from the A4, in which respect a direct connection to the West Cepen Way roundabout would seem to be optimal. A critique of the link road provisions on which the options are based is included as Annex 2 to these representations. That critique also challenges the conclusions of the Supplementary Transport and Accessibility Evidence (Part 1a) in relation to Option E6.</p> <p>3.11 There is no evidence that reasonable alternative SLR alignments or performance standards have been properly modelled and considered, or been subject to sustainability appraisal. A more southern route and/or higher speed limit for the SLR as illustrated in HLM's submissions might be a more sustainable option in terms of both minimising impacts on heritage assets and in transportation terms. This could have further enhanced the case for Option E6 being taken forward together with other rejected options in Area D.</p> <p>3.12 It is also evident that Step 6 involves further consideration of the deliverability of the surviving options. For example, Option E3 is held to involve a scale of development that would concentrate land supply on one location to the detriment of housing choice and prospects for achieving rates of development sought to meet indicative requirements (para. 6.37). However, this is based on assertion and there is no evidence to support this conclusion. There is no testing of development scenarios, including development proceeding simultaneously from the north and south by different promoters.</p> <p>Conclusions on SSP</p> <p>4.1 As alluded to earlier, a more complicated SSP does not necessarily result in a more robust outcome. Moreover, a sequential process involving a greater number of steps carries with it the inherent risks that flaws at one step in the process will result in the outputs from the entire process being invalidated. That seems to be the case here.</p> <p>4.2 In HLM's view the elimination of reasonable alternatives at Step 3 on the basis of supposition regarding their deliverability, which is unsubstantiated, unsupported by clear evidence, and with demonstrable inconsistencies between the assessments of different options, is a significant flaw in the process. It means that potentially sustainable development options have not been subject to sustainability appraisal, and the options taken forward for appraisal are not justified by it. The flaws and inconsistencies in the process are demonstrated and corroborated by the</p>
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fact that Option B1, which is accepted to be the most sensitive in landscape terms and subject to genuine deliverability risks owing to the third party land ownerships involved in the access arrangements, survived Step 3 and was taken forward for sustainability appraisal, whereas Option E6, which is much less sensitive in landscape terms and in the location that the high level sustainability appraisal indicated to be the most appropriate for development, was not.

4.3 The elimination of reasonable options at Step 3 prior to sustainability appraisal at Steps 4 and 5 therefore represents a significant flaw in the revised SSP. Having identified 'reasonable alternatives', all of the alternatives identified ought properly to have been taken forward for sustainability appraisal prior to elimination of any options on the basis of concerns regarding their undeliverability. Any options that rank highly following sustainability appraisal should only be eliminated on grounds of undeliverability in the event of there being robust evidence to demonstrate that there is no prospect of those options yielding their capacity during the plan period.

4.4 The evidence relied on in the SSP, and in particular in rejecting Option E6, comprised little more than supposition regarding a correlation between the number of promoters involved and delivery failures. There is no necessary connection between the two, particularly where it is clear that sites are being actively promoted, and indeed can be brought forward in parallel with other parts of an overall allocation.

4.5 The Council's rejection of Option E6 is perverse and, quite simply, wrong. Having accepted its deliverability as part of Option E3, as well as the deliverability of the other land interests comprising Option E6 having accepted Option E5, the latter comprising the option that has been allocated in the Proposed Modifications, it is completely irrational to reject Option E6 on the basis of deliverability concerns regarding the number of SHLAA interests involved in that option. This is compounded having regard to the fact that the additional SHLAA interest included in Option E6 (site 473) lends itself to early and independent delivery at the southern end of the overall development area.

4.6 It is clear that the deliverability concerns relate to the smaller extension sites that have been added to the originally preferred Option (E2), comprising SHLAA sites 504, 639 and 472. However, the Council's solution to this in including them in the currently preferred option (E5), is to exclude them from the overall masterplan and allow them to come forward independently as they become available. It is therefore unclear how adding in SHLAA site 473, a site that is being actively promoted by a developer and which can form an early phase of development in the south of the allocation area, can reasonably be held to increase the risks of delivery failures. On the contrary, adding in SHLAA site 473 would reduce the risks of a shortfall in delivery from the South West Chippenham allocation in the event that SHLAA sites 504, 639 and/or 472 do not come forward. If there are genuine risks relating to the deliverability of the latter three sites, then Option E5 should have been rejected at Step 3 on the basis of the approach in the revised SSP, and a revised Option E6 comprising Option E2 plus SHLAA site 473 taken forward for sustainability appraisal.

4.7 It is not a defence to argue that SHLAA site 473 has been subject to sustainability appraisal as part of Option E3. It is quite clear from the evidence base that an option that includes land to the south of the West Cepen Way roundabout gives rise to a very different outcome from the SA than one that does not extend onto the rising land to the south. An option that extends as far as, but no further than, the West Cepen Way roundabout is therefore a 'reasonable alternative' that, once again, has not been properly tested through SA. It was erroneously rejected at Step 3 without clear supporting evidence.

4.8 It is interesting to note from the SSP that, following SA, there is further testing of the surviving options in terms of their deliverability at Step 6. This is a more appropriate stage at which to test options that perform well through the SA, and which should only then be rejected if there is clear and incontrovertible evidence that they are unable to yield their capacity during the plan period. The SSP is therefore flawed in testing options in this regard at Step 3, and which in consequence invalidates the entire procedure since the errors carry through to affect each subsequent stage.

4.9 The introduction at Step 6 of notional link road alignments into permutations of surviving options, and which are then incorporated as development strategies for further testing, is also not considered to be a sound approach. There is little evidence to justify the selection of link road alignments, or of the testing of options which themselves have been subject to SA. In the case of the SLR, the notional alignment shown could impact adversely on the Rowden Conservation Area, and may not achieve the most appropriate connection with the existing strategic highway network. A more southerly alignment that connects directly to the West Cepen Way roundabout and routes away from the Conservation Area may well be more appropriate, but which does not appear to have been properly considered or tested through SA. A more southerly route, which could provide a new and robust southern limit to the town as the A350 has done to the west, could influence the choice of site options to be included in the development strategies for further testing, and would further strengthen the case for including SHLAA site 473 as a 'reasonable alternative'.

	<p>4.10 The SSP would therefore appear to be further flawed in its attempt to retrofit link road alignments to pre-selected development options rather than being integral to the process of selecting the development options themselves, with appropriate SA of alternative road alignments.</p> <p>5. Overall Conclusions</p> <p>5.1 Having regard to the foregoing submissions, the overall conclusion can be summarised as follows: • The revised SSP is flawed in its methodology since, having identified ‘reasonable alternatives’, it fails to subject all such alternatives to sustainability appraisal. • The SA is therefore flawed since it fails to appraise all ‘reasonable alternatives’.</p> <p>Since potentially sustainable options are eliminated without being subjected to SA, the outcome of the SSP is potentially a development strategy that is not robustly justified by the SA. • The rejection of ‘reasonable alternatives’ at Step 3 is not supported by robust evidence. • Since the SSP is based on a ‘stepwise’ procedure, the procedural error at Step 3 results in the entire process being flawed. 5.2 As a result of the flaws in the SSP, the allocations contained in the draft Plan are unsound.</p> <p>Ipso facto, since the allocations are the essence of the Plan, the plan itself is unsound. 5.3 The Council is incorrect in its assumption that the risks of delivery failure increase commensurately with the number of SHLAA interests involved in a development option. The key issue is the commitment of the relevant interests to bringing land forward. In this respect, in the case of Area E, there is no evidence on which to base a conclusion that Option E6, incorporating one additional interest compared with the preferred option, E5, and who are actively promoting the site, is undeliverable. Indeed, inclusion of SHLAA site 473 is a safer option bearing in mind that the only uncertainties identified by the Council relate to the smaller extension sites that have been added to Option E2 resulting in Option E5. 5.4 The revised SSP therefore appears unnecessarily complicated, inconsistent and repetitive in that similar matters are considered at different stages in relation to different options. In part because of this, ‘reasonable alternatives’ comprising potentially sustainable options are prematurely and inappropriately eliminated, and are not taken forward for assessment against other alternatives through SA. As a result, not only is the SSP flawed, but the plan is potentially not justified by the SA. 5.5 As the Council acknowledges in the SSR (para. 3.35), Option E6 could deliver the whole plan requirement for housing. Under the SSP that underpinned the CSAP Submission Draft, further strategic areas were only deemed necessary in the event that the plan requirement could not be accommodated in the first preferred area. Notwithstanding that the revised SSP does not contain that explicit presumption, proper application and justification of the plan through the SA would result in that consequence. It is therefore imperative that all ‘reasonable alternatives’ are robustly assessed, and those that perform best through the SA only eliminated in favour of worse performing</p> <p>alternatives where there is robust evidence that the preferred option will not deliver the plan requirements. 5.6 In this instance it is important to bear in mind that the Development Plan comprises both the Wiltshire Core Strategy (WCS) and the CSAP. A substantial part of the overall requirement for Chippenham will be met through the committed sites at North Chippenham and Hunter’s Moon, and any sites that are allocated in the CSAP will be in addition to those commitments. Therefore, even if only one major additional site is now allocated in the CSAP, there will be a choice of sites and development locations in Chippenham. Given the limited length of the remaining plan period, it would seem likely that a fourth development location, and particularly one that relies on significant road infrastructure, including that associated with an earlier development phase, with complexities caused by third party ownerships and railway crossings, gives rise to greater risks of non-delivery than an extended allocation at Area E that can be developed at an early stage and independently from the remainder of the development area. 5.7 For all of the foregoing reasons it is concluded that the CSAP Proposed Modifications will not lead to a sound plan since it fails to satisfy the tests of soundness set out in the NPPF (para. 182): • The plan is not positively prepared in that it does not seek to ‘meet’ objectively assessed needs. In particular, it relies on additional sites in Area E that are of uncertain deliverability during the plan period, and a fourth strategic area that is highly sensitive in landscape terms, and therefore of uncertain capacity, requires significant highway infrastructure, and is dependent on the prior development of another strategic site. • The plan is not</p>
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	<p>sufficiently justified in that the SSP on which it is based is flawed, failing to test all reasonable alternatives on a proper basis, eliminating some reasonable alternatives without undergoing sustainability appraisal, based on supposition rather than clear evidence, and the plan in consequence is not based on the most sustainable development strategy. • The plan is not effective since it is of uncertain deliverability during the remainder of the plan period in that it eliminates sustainable development options on the basis of erroneous suppositions regarding their deliverability, includes alternatives that are of dubious deliverability, and does not incorporate the most sustainable development strategy since the both SSP and SA are flawed.</p> <p>The plan is not consistent with national policy in that it would not 'boost significantly' the supply of housing through, inter alia, using the evidence base to ensure that it 'meets' the full objectively assessed needs for market and affordable housing. To the extent that the allocation strategy risks delivery failures, and prefers locations in which there would be greater landscape impacts ahead of those with greater capacity to accommodate development, the plan would fail to progress economic, social and environmental gains simultaneously, and which are central to achieving sustainable development.</p>		
Sound changes	<p>Amend Policy CH1 to allow for the inclusion within the Rowden Park Site allocation of land to the south of the Nursery, east of the B4528, west of the River Avon and north of Lackham College. The revised policy should allow for the omission site to come forward independently as an early phase overall South West Chippenham development.</p> <p>In the alternative, modification of Policy CH1 to include the omission site as a 'smaller extension site', either in addition to, or instead of, the 11 hectares of land currently identified in the policy as proposed to be modified.</p>		
Other comments			
Attached files (Please see Objective)		Relates to SA	Yes
SA comments	<p>For reasons set out in the attached representations, the Sustainability Appraisal is flawed in that it has failed to assess all 'reasonable alternatives', some of which were erroneously eliminated at Step 3 of</p> <p>the Site Selection Process prior to undergoing SA. In consequence, the plan does not incorporate the most sustainable development strategy, and is therefore not justified by the evidence base.</p>		
Themes	Delivery and Plan Strategy		

Comment ID:	164	Consultee: Mr A Birch Hallam Land Management		Agent: Dr Thomas Roche Roche Associates Ltd		Is the Plan legally compliant?	Yes
		Person ID: 390145		Person ID: 902026		Is the Plan sound?	No
Proposed Modification	S20	Identify part of Plan 1	Other	Identify part of Plan 2	Figure 5.1	Unsound reasons:	Positively prepared Justified Effective Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>See attached sheets</p> <p>1.4 HLM supports the proposed modifications to the extent that a third strategic location, and Area C in particular, is no longer identified to contribute to the Core Strategy housing requirement during the current plan period to 2026. However, HLM continues to object to the Proposed Modifications to the extent to that they have failed to resolve the criticisms of the SSP/SA that caused the Inspector to suspend the Examination in November. On the contrary, for reasons that are set out below, it is HLM's view that the revised SSP exacerbates the previous concerns regarding the process of site selection, brings the exclusion of some 'reasonable alternatives' into sharper focus, and contributes to the conclusion that certain areas have not been subject to robust evaluation, and the Plan is unsound in consequence.</p> <p>2.5 For Area E (South West Chippenham) eight strategic options are initially identified in Appendix 4 to the SSR. It must therefore be assumed that each option was deemed to comply with the guiding principles set out in paragraph 3.16 of the SSR, including it being sufficiently different from other options to enable a judgement to be made about its performance against the CP10 criteria. 2.6 Option E6 incorporates the extended Area E being promoted by HLM to include land east and south of the nursery as far as, but not extending southwards of, the West Cepen Way roundabout. It is identified as providing capacity for approximately 1,785 dwellings, which is sufficient to accommodate all of the residual capacity identified in the revised requirement (Proposed Modification S13). 2.7 Option E6 is rejected at Step 3 and not taken forward for sustainability appraisal. The only reason given for its rejection is found at paragraph 3.35 of the SSR and is that: Site Options E6 and E7 would deliver the whole Plan requirement for housing and require the promoters of up to 10 SHLAA sites to cooperate in its coordinated delivery. Within the remaining time period of the Plan to 2026 this is not considered achievable. These site options have therefore not been taken forward.</p> <p>2.8 The only difference between Options E6 and E7 is that Option E7 includes land beyond that promoted by HLM to the south of the West Cepen Way roundabout. The reasons for rejecting Options E6 and E7 at Step 3 are summarised in the table at paragraph 3.38, and are identical except for the fact that Option E7 comprises an additional SHLAA promoter.</p> <p>2.9 The rationale for rejecting Option E6 at Step 3 is considered to be perverse, wholly unsupported by the evidence base, and therefore untenable. Essentially, Option E6 comprises Option E5 plus the land the subject of HLM's promotion. Option E5 comprises the selected option that is incorporated in the proposed modifications. 2.10 The evidence base in Appendix 4 to the SSR is that:</p>					

There is already active developer interest in Strategic Area E. Two planning applications which in combination are based on the previous Strategic Site Option E2 ... are already under consideration. ... (SSR Appendix 4, page, 55)

In representations to the emerging CSAP developers are also promoting sites to the west of the B4528 and the railway land (SHLAA sites 504 and 639), at the Showell Nurseries (SHLAA site 472) and adjacent to Lackham Roundabout on the A350 (SHLAA sites 473 and 808). Land is therefore readily available. (SSR, Appendix 4, page 56 – emboldening added) 2.11 The rejection of Option E6 on the basis that it is not achievable is therefore wholly unsupported by the evidence. It is tacitly accepted that the 7 promoters of the land comprised within Option E5 can deliver the required yield from that Option during the Plan period. Given that Option E6 is simply the addition of land to the south that is being actively promoted by an intending developer through the current Plan, the evidence indicates that there is little, if any, risk of the larger allocation comprising one additional site promoter being unachievable during the plan period. 2.12 The Council's position would appear even more untenable and unsubstantiated by evidence when considering Option E3. That option essentially comprises Option E7, minus the smaller extension sites that are included in the allocation as now proposed in the modifications. Option E3 is not excluded on the basis of it being unachievable during the Plan period, and is taken forward for SA, confirming the Council's acceptance that SHLAA site 473 is achievable in conjunction with the wider mixed use allocation (Option E2) that was allocated in the Submission Draft Plan. It therefore confirms that there are no deliverability issues affecting HLM's land being included in a larger South- West Chippenham allocation that extends the allocation in the submission draft Plan. 2.13 The evidence therefore suggests that, if there are any deliverability issues, they affect the smaller extension sites that are now included in Option E5, which coincides with the revised allocation as contained in the Proposed Modifications. This would seem to be endorsed later in the site selection process, at Step 5, where a slower delivery of the nursery site is alluded to in view of its 'brownfield' status with potential contamination issues (SSR, paras. 5.50 and 5.54), and potential noise issues affecting SHLAA sites 639 and 504 adjacent to the railway (SSR, para. 5.54). Therefore, the only reason for exclusion of the HLM land from proceeding to Step 4 and SA, seems to be because it was included in an Option that contains other elements that are of uncertain deliverability. 2.14 However, even the above attempt to explain the apparent irrational rejection of Option E6 breaks down when considering that Option E5 includes the SHLAA sites that have the potential to constrain overall deliverability. Moreover, the development strategy of the South West Chippenham site in the

Proposed Modifications effectively prevents the smaller extension sites from acting as a brake on the overall development since it provides for them to come forward independently from the predominant (Rowden Park) part of the site, at a later stage and exempts them from any requirement to form part of the overall Masterplan (see Modification S21). 2.15 The conclusion is therefore that there is no substantive evidence that justifies exclusion of Option 6 at Step 3 for the reasons adduced in the SSR, being that it would be unachievable during the Plan period. The Council's rejection of Option E6 would appear to be wholly unsupported by evidence, and therefore untenable, given that it is accepted that: • Option E5 is achievable • Option E3 is achievable • The smaller urban extension sites included in Option 5 can come forward independently of the overall allocation. • SHLAA site 473 (comprising the site being promoted by HLM) is available.

2.16 Through taking Option E3 forward for consideration beyond Step 3 the Council tacitly accepts that HLM's promotion site is achievable in conjunction with the predominant part of the South West Chippenham allocation. Moreover, given its position at the southern extremity of the overall development area, there is no reason why it cannot be delivered as an early phase, possibly independently from the wider development area similarly to the smaller extension sites, but with the potential to integrate with it in due course. That effectively negates any issue that the addition of another SHLAA site could possibly affect the achievability of the strategic site option within the plan period. 2.17 Throughout the SSR the Council has afforded significant weight to the deliverability of sites that are being actively promoted by developers (as is confirmed by the table at paragraph 3.39). There is no substantive evidence whatsoever to explain why a development option that comprises the Council's selected development option plus one additional SHLAA site that is being actively promoted by a developer, is unachievable. The hypothetical and unsubstantiated concerns that led to the elimination of Option E6, compare and contrast with real the requirement, and associated risks, for landowner cooperation in connection with Option B1 as acknowledged by the Council in Step 8. In the SSR it is acknowledged (at Step 8) that there are significant risks to the delivery of Option B1 relating to landscape and visual impacts, road infrastructure and viability, with the latter two risks arising from the requirement for co-operation of third party landowners for purposes of delivering the two access points to the development.

	<p>2.18 For the foregoing reasons HLM concludes that the rejection of Option E6 at Step 3 is unsupported by evidence, irrational and therefore untenable. Moreover, it is completely inconsistent with the attitude towards risk associated with other, selected options at Step 8. In rejecting a 'reasonable alternative' that ought properly to have been taken forward to Step 4 and subject to sustainability appraisal, it is HLM's view that the SSP is flawed. Since a sequential process is followed it means that a fundamental error at one step in the process effectively invalidates the conclusions of the overall process and outputs therefrom. It means that, once again, reasonable alternatives have not been given proper consideration and, in consequence, the sustainability appraisal has been inadequate since sites that might well have scored highly have been excluded from consideration.</p> <p>2.19 The Council's response to this is likely to be that SHLAA site 473 was considered as part of Option E3 that was taken forward for SA. However, for reasons set out in HLM's previous representations (see Annex 1), and considered further below, consideration of SHLAA site 473 as part of a larger development option that extends to the south of the West Cepen Way roundabout, fails to give proper consideration to its sustainability credentials as a development option in its own right.</p> <p>3.1 One of HLM's principal objections to the Submission Draft CSAP was that the SSR had not specifically considered the option of extending the South West Chippenham allocation as far as the West Cepen Way roundabout, but not beyond that limit. By including HLM's land in a larger option taking in the rising land to the south of the West Cepen Way roundabout, it was considered that the merits of an intermediate extension had not been properly considered, and the landscape implications of continuing the allocation to the south of the West Cepen Way roundabout had skewed the assessment.</p> <p>3.2 A critique of the landscape evidence base and evaluation of the intermediate option accompanied HLM's submissions (see Annex 1). It concluded that inclusion of land to the south was the principal reason why the intermediate option had been rejected, and that there was no justification on landscape grounds for not extending the allocation to the line of the West Cepen Way roundabout, which coincided with point at which land to the south starts to rise. The landscape evidence on which the site selection was based simply does not support exclusion of the flat land as far as the West Cepen Way roundabout from the strategic site allocation.</p> <p>3.3 By excluding Option E6 at Step 3, and taking forward only Option E3 for sustainability appraisal, the SSR once again fails to properly assess all reasonable alternatives. It is surprising, bearing in mind the criticism previously raised by HLM, that it has not been properly appraised. It is even more surprising in the light of the preliminary high level sustainability appraisal and assessments of the strategic areas in Steps 1 and 2 in which Area E was found to be the least sensitive in landscape terms compared with Area B which was identified as being the most prominent, with difficulties of mitigating any impacts in view of the area's raised position.</p> <p>3.4 The findings of the high level sustainability appraisal and assessments of the strategic areas assume heightened significance when considering the reason for sustainability appraisal of Option E3 undertaken at Step 4 of the SSP. The SA found as follows: Overall, the assessment demonstrates that no major adverse effects are expected to arise from this site option development. A number of moderate and minor adverse effects are identified, so too are beneficial effects related to socio-economic SA objectives. (Addendum 1: SA of Strategic Site Options, para. 1.15.1) The landscape impacts of development on this site is a significant sustainability issue that would need to be resolved to take forward this option. It is recommended that the extent of the indicative proposed green space in the south east of the site would need to be increased. Should this issue be satisfactorily resolved, this option has the potential to offer significant economic benefits together with relatively low levels of environmental impact making it a higher sustainability performance option. (Addendum 1: SA of Strategic Site Options, para. 1.15.8) 3.5 In the overall conclusion to the Addendum 1 of the SA, Option E3 was included amongst the more sustainable options for development for consideration in the development of the preferred development strategy, subject to resolution of the significant sustainability issues (paras. 1.17.3- 1.17.4). 3.6 It is clear from consideration of the Option E3 map (Addendum 1, Figure 1.13, page 23) that the landscape impacts of concern relate to the rising land to the south of the West Cepen Way roundabout where the proposed green buffer to the east of the suggested allocation is much reduced, compared with the remainder of the development area to the north, including HLM's promotion site, where there is a substantial landscape buffer coinciding with the flood plain to the east. That this is the essential difference between Options E5 and E3 is confirmed in Table 1.1 of the SA of Strategic Site Options in which the only difference between the respective scores is in relation to 'landscape' and SA Objective SO7. Option E5 is assessed as having a 'minor adverse effect' compared with Option E3 that is assigned a 'moderate adverse</p>
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	<p>effect'. Other than this, the assessment of the two options is identical. 3.7 That the difference between the assessment of the landscape impacts arises from the inclusion in Option E3 of the rising land to the south of the West Cepen Way roundabout, is clear from the specific assessment relating to Option E3:</p> <p>The increased extent of residential development in Option E3 results in a moderate adverse effect against one environmental SA objective (landscape, SO7). This stems from the indicative green space proposed at the southern extent of the site not being sufficiently wide to adequately screen the effects of development on the local landscape character and visual amenity (Addendum 1: SA of Strategic Site Options, para. 1.15.3 – emphasis added) Since the much reduced width of the indicative green space at the southern extent of the site coincides with the rising land to the south of the West Cepen Way roundabout, it follows that, if the site is curtailed at the line of the West Cepen Way roundabout, this objection is resolved. It can therefore be inferred that, in landscape terms, Option E6 performs identically to Option E5, and therefore in overall terms, had Option E6 been taken forward to SA, its overall score would have been identical to Option E5.</p> <p>3.8 Following sustainability appraisal and SWOT analysis in Steps 4 and 5 respectively, Option E3 was rejected at Step 6, principally because of its</p> <p>"... landscape impact encroaching on more remote and attractive environments ..." (SSR, para. 6.36), in addition to which it was deemed to contain the largest amount of land in a location with weak access to the town centre, railway station and leisure facilities. Therefore, once again, the land promoted by HLM was rejected principally on the basis of concerns pertaining to land to the south of the West Cepen Way roundabout. Had Option E6 been taken forward for assessment through Steps 4 and 5, it is unlikely to have given rise to the same objections, and may well have survived Stage 6. 3.9 It is pertinent to note that, having rejected further site options, the analysis in Step 6 then introduces alternative development scenarios, including two involving permutations of site options allied to possible link road options. It's unclear from where the notional link road alignments have arisen, and this does not appear to be explained in the documentation. However, it appears that they have been retrofitted to the surviving site options, rather than been integral to the selection of the options themselves. 3.10 The retrofitting of link road alignments to pre-selected site options is considered to be a further flaw in the SSP. In the case of the SLR, it results in an alignment that runs unnecessarily close to the Rowden Conservation Area, and also it would not seem to assume an optimal alignment to relieve through-traffic from the A4, in which respect a direct connection to the West Cepen Way roundabout would seem to be optimal. A critique of the link road provisions on which the options are based is included as Annex 2 to these representations. That critique also challenges the conclusions of the Supplementary Transport and Accessibility Evidence (Part 1a) in relation to Option E6.</p> <p>3.11 There is no evidence that reasonable alternative SLR alignments or performance standards have been properly modelled and considered, or been subject to sustainability appraisal. A more southern route and/or higher speed limit for the SLR as illustrated in HLM's submissions might be a more sustainable option in terms of both minimising impacts on heritage assets and in transportation terms. This could have further enhanced the case for Option E6 being taken forward together with other rejected options in Area D.</p> <p>3.12 It is also evident that Step 6 involves further consideration of the deliverability of the surviving options. For example, Option E3 is held to involve a scale of development that would concentrate land supply on one location to the detriment of housing choice and prospects for achieving rates of development sought to meet indicative requirements (para. 6.37). However, this is based on assertion and there is no evidence to support this conclusion. There is no testing of development scenarios, including development proceeding simultaneously from the north and south by different promoters.</p> <p>Conclusions on SSP</p> <p>4.1 As alluded to earlier, a more complicated SSP does not necessarily result in a more robust outcome. Moreover, a sequential process involving a greater number of steps carries with it the inherent risks that flaws at one step in the process will result in the outputs from the entire process being invalidated. That seems to be the case here.</p> <p>4.2 In HLM's view the elimination of reasonable alternatives at Step 3 on the basis of supposition regarding their deliverability, which is unsubstantiated, unsupported by clear evidence, and with demonstrable inconsistencies between the assessments of different options, is a significant flaw in the process. It means that potentially sustainable development options have not been subject to sustainability appraisal, and the options taken forward for appraisal are not justified by it. The flaws and inconsistencies in the process are demonstrated and corroborated by the</p>
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fact that Option B1, which is accepted to be the most sensitive in landscape terms and subject to genuine deliverability risks owing to the third party land ownerships involved in the access arrangements, survived Step 3 and was taken forward for sustainability appraisal, whereas Option E6, which is much less sensitive in landscape terms and in the location that the high level sustainability appraisal indicated to be the most appropriate for development, was not.

4.3 The elimination of reasonable options at Step 3 prior to sustainability appraisal at Steps 4 and 5 therefore represents a significant flaw in the revised SSP. Having identified 'reasonable alternatives', all of the alternatives identified ought properly to have been taken forward for sustainability appraisal prior to elimination of any options on the basis of concerns regarding their undeliverability. Any options that rank highly following sustainability appraisal should only be eliminated on grounds of undeliverability in the event of there being robust evidence to demonstrate that there is no prospect of those options yielding their capacity during the plan period.

4.4 The evidence relied on in the SSP, and in particular in rejecting Option E6, comprised little more than supposition regarding a correlation between the number of promoters involved and delivery failures. There is no necessary connection between the two, particularly where it is clear that sites are being actively promoted, and indeed can be brought forward in parallel with other parts of an overall allocation.

4.5 The Council's rejection of Option E6 is perverse and, quite simply, wrong. Having accepted its deliverability as part of Option E3, as well as the deliverability of the other land interests comprising Option E6 having accepted Option E5, the latter comprising the option that has been allocated in the Proposed Modifications, it is completely irrational to reject Option E6 on the basis of deliverability concerns regarding the number of SHLAA interests involved in that option. This is compounded having regard to the fact that the additional SHLAA interest included in Option E6 (site 473) lends itself to early and independent delivery at the southern end of the overall development area.

4.6 It is clear that the deliverability concerns relate to the smaller extension sites that have been added to the originally preferred Option (E2), comprising SHLAA sites 504, 639 and 472. However, the Council's solution to this in including them in the currently preferred option (E5), is to exclude them from the overall masterplan and allow them to come forward independently as they become available. It is therefore unclear how adding in SHLAA site 473, a site that is being actively promoted by a developer and which can form an early phase of development in the south of the allocation area, can reasonably be held to increase the risks of delivery failures. On the contrary, adding in SHLAA site 473 would reduce the risks of a shortfall in delivery from the South West Chippenham allocation in the event that SHLAA sites 504, 639 and/or 472 do not come forward. If there are genuine risks relating to the deliverability of the latter three sites, then Option E5 should have been rejected at Step 3 on the basis of the approach in the revised SSP, and a revised Option E6 comprising Option E2 plus SHLAA site 473 taken forward for sustainability appraisal.

4.7 It is not a defence to argue that SHLAA site 473 has been subject to sustainability appraisal as part of Option E3. It is quite clear from the evidence base that an option that includes land to the south of the West Cepen Way roundabout gives rise to a very different outcome from the SA than one that does not extend onto the rising land to the south. An option that extends as far as, but no further than, the West Cepen Way roundabout is therefore a 'reasonable alternative' that, once again, has not been properly tested through SA. It was erroneously rejected at Step 3 without clear supporting evidence.

4.8 It is interesting to note from the SSP that, following SA, there is further testing of the surviving options in terms of their deliverability at Step 6. This is a more appropriate stage at which to test options that perform well through the SA, and which should only then be rejected if there is clear and incontrovertible evidence that they are unable to yield their capacity during the plan period. The SSP is therefore flawed in testing options in this regard at Step 3, and which in consequence invalidates the entire procedure since the errors carry through to affect each subsequent stage.

4.9 The introduction at Step 6 of notional link road alignments into permutations of surviving options, and which are then incorporated as development strategies for further testing, is also not considered to be a sound approach. There is little evidence to justify the selection of link road alignments, or of the testing of options which themselves have been subject to SA. In the case of the SLR, the notional alignment shown could impact adversely on the Rowden Conservation Area, and may not achieve the most appropriate connection with the existing strategic highway network. A more southerly alignment that connects directly to the West Cepen Way roundabout and routes away from the Conservation Area may well be more appropriate, but which does not appear to have been properly considered or tested through SA. A more southerly route, which could provide a new and robust southern limit to the town as the A350 has done to the west, could influence the choice of site options to be included in the development strategies for further testing, and would further strengthen the case for including SHLAA site 473 as a 'reasonable alternative'.

	<p>4.10 The SSP would therefore appear to be further flawed in its attempt to retrofit link road alignments to pre-selected development options rather than being integral to the process of selecting the development options themselves, with appropriate SA of alternative road alignments.</p> <p>5. Overall Conclusions</p> <p>5.1 Having regard to the foregoing submissions, the overall conclusion can be summarised as follows: • The revised SSP is flawed in its methodology since, having identified ‘reasonable alternatives’, it fails to subject all such alternatives to sustainability appraisal. • The SA is therefore flawed since it fails to appraise all ‘reasonable alternatives’.</p> <p>Since potentially sustainable options are eliminated without being subjected to SA, the outcome of the SSP is potentially a development strategy that is not robustly justified by the SA. • The rejection of ‘reasonable alternatives’ at Step 3 is not supported by robust evidence. • Since the SSP is based on a ‘stepwise’ procedure, the procedural error at Step 3 results in the entire process being flawed. 5.2 As a result of the flaws in the SSP, the allocations contained in the draft Plan are unsound.</p> <p>Ipso facto, since the allocations are the essence of the Plan, the plan itself is unsound. 5.3 The Council is incorrect in its assumption that the risks of delivery failure increase commensurately with the number of SHLAA interests involved in a development option. The key issue is the commitment of the relevant interests to bringing land forward. In this respect, in the case of Area E, there is no evidence on which to base a conclusion that Option E6, incorporating one additional interest compared with the preferred option, E5, and who are actively promoting the site, is undeliverable. Indeed, inclusion of SHLAA site 473 is a safer option bearing in mind that the only uncertainties identified by the Council relate to the smaller extension sites that have been added to Option E2 resulting in Option E5. 5.4 The revised SSP therefore appears unnecessarily complicated, inconsistent and repetitive in that similar matters are considered at different stages in relation to different options. In part because of this, ‘reasonable alternatives’ comprising potentially sustainable options are prematurely and inappropriately eliminated, and are not taken forward for assessment against other alternatives through SA. As a result, not only is the SSP flawed, but the plan is potentially not justified by the SA. 5.5 As the Council acknowledges in the SSR (para. 3.35), Option E6 could deliver the whole plan requirement for housing. Under the SSP that underpinned the CSAP Submission Draft, further strategic areas were only deemed necessary in the event that the plan requirement could not be accommodated in the first preferred area. Notwithstanding that the revised SSP does not contain that explicit presumption, proper application and justification of the plan through the SA would result in that consequence. It is therefore imperative that all ‘reasonable alternatives’ are robustly assessed, and those that perform best through the SA only eliminated in favour of worse performing</p> <p>alternatives where there is robust evidence that the preferred option will not deliver the plan requirements. 5.6 In this instance it is important to bear in mind that the Development Plan comprises both the Wiltshire Core Strategy (WCS) and the CSAP. A substantial part of the overall requirement for Chippenham will be met through the committed sites at North Chippenham and Hunter’s Moon, and any sites that are allocated in the CSAP will be in addition to those commitments. Therefore, even if only one major additional site is now allocated in the CSAP, there will be a choice of sites and development locations in Chippenham. Given the limited length of the remaining plan period, it would seem likely that a fourth development location, and particularly one that relies on significant road infrastructure, including that associated with an earlier development phase, with complexities caused by third party ownerships and railway crossings, gives rise to greater risks of non-delivery than an extended allocation at Area E that can be developed at an early stage and independently from the remainder of the development area. 5.7 For all of the foregoing reasons it is concluded that the CSAP Proposed Modifications will not lead to a sound plan since it fails to satisfy the tests of soundness set out in the NPPF (para. 182): • The plan is not positively prepared in that it does not seek to ‘meet’ objectively assessed needs. In particular, it relies on additional sites in Area E that are of uncertain deliverability during the plan period, and a fourth strategic area that is highly sensitive in landscape terms, and therefore of uncertain capacity, requires significant highway infrastructure, and is dependent on the prior development of another strategic site. • The plan is not</p>
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	<p>sufficiently justified in that the SSP on which it is based is flawed, failing to test all reasonable alternatives on a proper basis, eliminating some reasonable alternatives without undergoing sustainability appraisal, based on supposition rather than clear evidence, and the plan in consequence is not based on the most sustainable development strategy. • The plan is not effective since it is of uncertain deliverability during the remainder of the plan period in that it eliminates sustainable development options on the basis of erroneous suppositions regarding their deliverability, includes alternatives that are of dubious deliverability, and does not incorporate the most sustainable development strategy since the both SSP and SA are flawed.</p> <p>The plan is not consistent with national policy in that it would not 'boost significantly' the supply of housing through, inter alia, using the evidence base to ensure that it 'meets' the full objectively assessed needs for market and affordable housing. To the extent that the allocation strategy risks delivery failures, and prefers locations in which there would be greater landscape impacts ahead of those with greater capacity to accommodate development, the plan would fail to progress economic, social and environmental gains simultaneously, and which are central to achieving sustainable development.</p>		
Sound changes	Amend Figure 5.1 to include land to the south of the Nursery, east of the B4528, west of the River Avon and north of Lackham College as identified on the plan at Annex1, Appendix 1 to the attached representations.		
Other comments			
Attached files (Please see Objective)		Relates to SA	Yes
SA comments	<p>For reasons set out in the attached representations, the Sustainability Appraisal is flawed in that it has failed to assess all 'reasonable alternatives', some of which were erroneously eliminated at Step 3 of</p> <p>the Site Selection Process prior to undergoing SA. In consequence, the plan does not incorporate the most sustainable development strategy, and is therefore not justified by the evidence base.</p>		
Themes	Delivery and Plan Strategy		

Comment ID:	165	Consultee: Mr A Birch Hallam Land Management		Agent: Dr Thomas Roche Roche Associates Ltd		Is the Plan legally compliant?	Yes
		Person ID: 390145		Person ID: 902026		Is the Plan sound?	No
Proposed Modification	S21	Identify part of Plan 1	Paragraph	Identify part of Plan 2	5.1	Unsound reasons:	Positively prepared Justified Effective Consistent with national policy
Reasons for not legally compliant							
Legally compliant changes							
Reasons why unsound		<p>See attached sheets</p> <p>1.4 HLM supports the proposed modifications to the extent that a third strategic location, and Area C in particular, is no longer identified to contribute to the Core Strategy housing requirement during the current plan period to 2026. However, HLM continues to object to the Proposed Modifications to the extent to that they have failed to resolve the criticisms of the SSP/SA that caused the Inspector to suspend the Examination in November. On the contrary, for reasons that are set out below, it is HLM's view that the revised SSP exacerbates the previous concerns regarding the process of site selection, brings the exclusion of some 'reasonable alternatives' into sharper focus, and contributes to the conclusion that certain areas have not been subject to robust evaluation, and the Plan is unsound in consequence.</p> <p>2.5 For Area E (South West Chippenham) eight strategic options are initially identified in Appendix 4 to the SSR. It must therefore be assumed that each option was deemed to comply with the guiding principles set out in paragraph 3.16 of the SSR, including it being sufficiently different from other options to enable a judgement to be made about its performance against the CP10 criteria.</p> <p>2.6 Option E6 incorporates the extended Area E being promoted by HLM to include land east and south of the nursery as far as, but not extending southwards of, the West Cepen Way roundabout. It is identified as providing capacity for approximately 1,785 dwellings, which is sufficient to accommodate all of the residual capacity identified in the revised requirement (Proposed Modification S13).</p> <p>2.7 Option E6 is rejected at Step 3 and not taken forward for sustainability appraisal. The only reason given for its rejection is found at paragraph 3.35 of the SSR and is that:</p> <p>Site Options E6 and E7 would deliver the whole Plan requirement for housing and require the promoters of up to 10 SHLAA sites to cooperate in its coordinated delivery. Within the remaining time period of the Plan to 2026 this is not considered achievable. These site options have therefore not been taken forward.</p> <p>2.8 The only difference between Options E6 and E7 is that Option E7 includes land beyond that promoted by HLM to the south of the West Cepen</p>					

	<p>Way roundabout. The reasons for rejecting Options E6 and E7 at Step 3 are summarised in the table at paragraph 3.38, and are identical except for the fact that Option E7 comprises an additional SHLAA promoter.</p> <p>2.9 The rationale for rejecting Option E6 at Step 3 is considered to be perverse, wholly unsupported by the evidence base, and therefore untenable. Essentially, Option E6 comprises Option E5 plus the land the subject of HLM's promotion. Option E5 comprises the selected option that is incorporated in the proposed modifications. 2.10 The evidence base in Appendix 4 to the SSR is that:</p> <p>There is already active developer interest in Strategic Area E. Two planning applications which in combination are based on the previous Strategic Site Option E2 ... are already under consideration. ... (SSR Appendix 4, page, 55)</p> <p>In representations to the emerging CSAP developers are also promoting sites to the west of the B4528 and the railway land (SHLAA sites 504 and 639), at the Showell Nurseries (SHLAA site 472) and adjacent to Lackham Roundabout on the A350 (SHLAA sites 473 and 808). Land is therefore readily available . (SSR, Appendix 4, page 56 – emboldening added)</p> <p>2.11 The rejection of Option E6 on the basis that it is not achievable is therefore wholly unsupported by the evidence. It is tacitly accepted that the 7 promoters of the land comprised within Option E5 can deliver the required yield from that Option during the Plan period. Given that Option E6 is simply the addition of land to the south that is being actively promoted by an intending developer through the current Plan, the evidence indicates that there is little, if any, risk of the larger allocation comprising one additional site promoter being unachievable during the plan period. 2.12 The Council's position would appear even more untenable and unsubstantiated by evidence when considering Option E3. That option essentially comprises Option E7, minus the smaller extension sites that are included in the allocation as now proposed in the modifications. Option E3 is not excluded on the basis of it being unachievable during the Plan period, and is taken forward for SA, confirming the Council's acceptance that SHLAA site 473 is achievable in conjunction with the wider mixed use allocation (Option E2) that was allocated in the Submission Draft Plan. It therefore confirms that there are no deliverability issues affecting HLM's land being included in a larger South- West Chippenham allocation that extends the allocation in the submission draft Plan.</p> <p>2.13 The evidence therefore suggests that, if there are any deliverability issues, they affect the smaller extension sites that are now included in Option E5, which coincides with the revised allocation as contained in the Proposed Modifications. This would seem to be endorsed later in the site selection process, at Step 5, where a slower delivery of the nursery site is alluded to in view of its 'brownfield' status with potential contamination issues (SSR, paras. 5.50 and 5.54), and potential noise issues affecting SHLAA sites 639 and 504 adjacent to the railway (SSR, para. 5.54). Therefore, the only reason for exclusion of the HLM land from proceeding to Step 4 and SA, seems to be because it was included in an Option that contains other elements that are of uncertain deliverability.</p> <p>2.14 However, even the above attempt to explain the apparent irrational rejection of Option E6 breaks down when considering that Option E5 includes the SHLAA sites that have the potential to constrain overall deliverability. Moreover, the development strategy of the South West Chippenham site in the Proposed Modifications effectively prevents the smaller extension sites from acting as a brake on the overall development since it provides for them to come forward independently from the predominant (Rowden Park) part of the site, at a later stage and exempts them from any requirement to form part of the overall Masterplan (see Modification S21).</p> <p>2.15 The conclusion is therefore that there is no substantive evidence that justifies exclusion of Option 6 at Step 3 for the reasons adduced in the SSR, being that it would be unachievable during the Plan period. The Council's rejection of Option E6 would appear to be wholly unsupported by evidence, and therefore untenable, given that it is accepted that: · Option E5 is achievable · Option E3 is achievable · The smaller urban extension sites included in Option 5 can come forward independently of the overall allocation. · SHLAA site 473 (comprising the site being promoted by</p>
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	<p>HLM) is available.</p> <p>2.16 Through taking Option E3 forward for consideration beyond Step 3 the Council tacitly accepts that HLM's promotion site is achievable in conjunction with the predominant part of the South West Chippenham allocation. Moreover, given its position at the southern extremity of the overall development area, there is no reason why it cannot be delivered as an early phase, possibly independently from the wider development area similarly to the smaller extension sites, but with the potential to integrate with it in due course. That effectively negates any issue that the addition of another SHLAA site could possibly affect the achievability of the strategic site option within the plan period. 2.17 Throughout the SSR the Council has afforded significant weight to the deliverability of sites that are being actively promoted by developers (as is confirmed by the table at paragraph 3.39). There is no substantive evidence whatsoever to explain why a development option that comprises the Council's selected development option plus one additional SHLAA site that is being actively promoted by a developer, is unachievable. The hypothetical and unsubstantiated concerns that led to the elimination of Option E6, compare and contrast with real the requirement, and associated risks, for landowner cooperation in connection with Option B1 as acknowledged by the Council in Step 8. In the SSR it is acknowledged (at Step 8) that there are significant risks to the delivery of Option B1 relating to landscape and visual impacts, road infrastructure and viability, with the latter two risks arising from the requirement for co-operation of third party landowners for purposes of delivering the two access points to the development.</p> <p>2.18 For the foregoing reasons HLM concludes that the rejection of Option E6 at Step 3 is unsupported by evidence, irrational and therefore untenable. Moreover, it is completely inconsistent with the attitude towards risk associated with other, selected options at Step 8. In rejecting a 'reasonable alternative' that ought properly to have been taken forward to Step 4 and subject to sustainability appraisal, it is HLM's view that the SSP is flawed. Since a sequential process is followed it means that a fundamental error at one step in the process effectively invalidates the conclusions of the overall process and outputs therefrom. It means that, once again, reasonable alternatives have not been given proper consideration and, in consequence, the sustainability appraisal has been inadequate since sites that might well have scored highly have been excluded from consideration.</p> <p>2.19 The Council's response to this is likely to be that SHLAA site 473 was considered as part of Option E3 that was taken forward for SA. However, for reasons set out in HLM's previous representations (see Annex 1), and considered further below, consideration of SHLAA site 473 as part of a larger development option that extends to the south of the West Cepen Way roundabout, fails to give proper consideration to its sustainability credentials as a development option in its own right.</p> <p>3.1 One of HLM's principal objections to the Submission Draft CSAP was that the SSR had not specifically considered the option of extending the South West Chippenham allocation as far as the West Cepen Way roundabout, but not beyond that limit. By including HLM's land in a larger option taking in the rising land to the south of the West Cepen Way roundabout, it was considered that the merits of an intermediate extension had not been properly considered, and the landscape implications of continuing the allocation to the south of the West Cepen Way roundabout had skewed the assessment.</p> <p>3.2 A critique of the landscape evidence base and evaluation of the intermediate option accompanied HLM's submissions (see Annex 1). It concluded that inclusion of land to the south was the principal reason why the intermediate option had been rejected, and that there was no justification on landscape grounds for not extending the allocation to the line of the West Cepen Way roundabout, which coincided with point at which land to the south starts to rise. The landscape evidence on which the site selection was based simply does not support exclusion of the flat land as far as the West Cepen Way roundabout from the strategic site allocation.</p> <p>3.3 By excluding Option E6 at Step 3, and taking forward only Option E3 for sustainability appraisal, the SSR once again fails to properly assess all reasonable alternatives. It is surprising, bearing in mind the criticism previously raised by HLM, that it has not been properly appraised. It is</p>
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	<p>even more surprising in the light of the preliminary high level sustainability appraisal and assessments of the strategic areas in Steps 1 and 2 in which Area E was found to be the least sensitive in landscape terms compared with Area B which was identified as being the most prominent, with difficulties of mitigating any impacts in view of the area's raised position.</p> <p>3.4 The findings of the high level sustainability appraisal and assessments of the strategic areas assume heightened significance when considering the reason for sustainability appraisal of Option E3 undertaken at Step 4 of the SSP. The SA found as follows:</p> <p>Overall, the assessment demonstrates that no major adverse effects are expected to arise from this site option development. A number of moderate and minor adverse effects are identified, so too are beneficial effects related to socio-economic SA objectives. (Addendum 1: SA of Strategic Site Options, para. 1.15.1) The landscape impacts of development on this site is a significant sustainability issue that would need to be resolved to take forward this option. It is recommended that the extent of the indicative proposed green space in the south east of the site would need to be increased. Should this issue be satisfactorily resolved, this option has the potential to offer significant economic benefits together with relatively low levels of environmental impact making it a higher sustainability performance option. (Addendum 1: SA of Strategic Site Options, para. 1.15.8)</p> <p>3.5 In the overall conclusion to the Addendum 1 of the SA, Option E3 was included amongst the more sustainable options for development for consideration in the development of the preferred development strategy, subject to resolution of the significant sustainability issues (paras. 1.17.3-1.17.4). 3.6 It is clear from consideration of the Option E3 map (Addendum 1, Figure 1.13, page 23) that the landscape impacts of concern relate to the rising land to the south of the West Cepen Way roundabout where the proposed green buffer to the east of the suggested allocation is much reduced, compared with the remainder of the development area to the north, including HLM's promotion site, where there is a substantial landscape buffer coinciding with the flood plain to the east. That this is the essential difference between Options E5 and E3 is confirmed in Table 1.1 of the SA of Strategic Site Options in which the only difference between the respective scores is in relation to 'landscape' and SA Objective SO7. Option E5 is assessed as having a 'minor adverse effect' compared with Option E3 that is assigned a 'moderate adverse effect'. Other than this, the assessment of the two options is identical. 3.7 That the difference between the assessment of the landscape impacts arises from the inclusion in Option E3 of the rising land to the south of the West Cepen Way roundabout, is clear from the specific assessment relating to Option E3:</p> <p>The increased extent of residential development in Option E3 results in a moderate adverse effect against one environmental SA objective (landscape, SO7). This stems from the indicative green space proposed at the southern extent of the site not being sufficiently wide to adequately screen the effects of development on the local landscape character and visual amenity (Addendum 1: SA of Strategic Site Options, para. 1.15.3 – emphasis added) Since the much reduced width of the indicative green space at the southern extent of the site coincides with the rising land to the south of the West Cepen Way roundabout, it follows that, if the site is curtailed at the line of the West Cepen Way roundabout, this objection is resolved. It can therefore be inferred that, in landscape terms, Option E6 performs identically to Option E5, and therefore in overall terms, had Option E6 been taken forward to SA, its overall score would have been identical to Option E5.</p> <p>3.8 Following sustainability appraisal and SWOT analysis in Steps 4 and 5 respectively, Option E3 was rejected at Step 6, principally because of its</p> <p>"... landscape impact encroaching on more remote and attractive environments ..." (SSR, para. 6.36), in addition to which it was deemed to contain the largest amount of land in a location with weak access to the town centre, railway station and leisure facilities. Therefore, once again, the land promoted by HLM was rejected principally on the basis of concerns pertaining to land to the south of the West Cepen Way roundabout. Had Option E6 been taken forward for assessment through Steps 4 and 5, it is unlikely to have given rise to the same objections, and may well</p>
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	<p>have survived Stage 6. 3.9 It is pertinent to note that, having rejected further site options, the analysis in Step 6 then introduces alternative development scenarios, including two involving permutations of site options allied to possible link road options. It's unclear from where the notional link road alignments have arisen, and this does not appear to be explained in the documentation. However, it appears that they have been retrofitted to the surviving site options, rather than been integral to the selection of the options themselves.</p> <p>3.10 The retrofitting of link road alignments to pre-selected site options is considered to be a further flaw in the SSP. In the case of the SLR, it results in an alignment that runs unnecessarily close to the Rowden Conservation Area, and also it would not seem to assume an optimal alignment to relieve through-traffic from the A4, in which respect a direct connection to the West Cepen Way roundabout would seem to be optimal. A critique of the link road provisions on which the options are based is included as Annex 2 to these representations. That critique also challenges the conclusions of the Supplementary Transport and Accessibility Evidence (Part 1a) in relation to Option E6.</p> <p>3.11 There is no evidence that reasonable alternative SLR alignments or performance standards have been properly modelled and considered, or been subject to sustainability appraisal. A more southern route and/or higher speed limit for the SLR as illustrated in HLM's submissions might be a more sustainable option in terms of both minimising impacts on heritage assets and in transportation terms. This could have further enhanced the case for Option E6 being taken forward together with other rejected options in Area D.</p> <p>3.12 It is also evident that Step 6 involves further consideration of the deliverability of the surviving options. For example, Option E3 is held to involve a scale of development that would concentrate land supply on one location to the detriment of housing choice and prospects for achieving rates of development sought to meet indicative requirements (para. 6.37). However, this is based on assertion and there is no evidence to support this conclusion. There is no testing of development scenarios, including development proceeding simultaneously from the north and south by different promoters.</p> <p>Conclusions on SSP</p> <p>4.1 As alluded to earlier, a more complicated SSP does not necessarily result in a more robust outcome. Moreover, a sequential process involving a greater number of steps carries with it the inherent risks that flaws at one step in the process will result in the outputs from the entire process being invalidated. That seems to be the case here.</p> <p>4.2 In HLM's view the elimination of reasonable alternatives at Step 3 on the basis of supposition regarding their deliverability, which is unsubstantiated, unsupported by clear evidence, and with demonstrable inconsistencies between the assessments of different options, is a significant flaw in the process. It means that potentially sustainable development options have not been subject to sustainability appraisal, and the options taken forward for appraisal are not justified by it. The flaws and inconsistencies in the process are demonstrated and corroborated by the fact that Option B1, which is accepted to be the most sensitive in landscape terms and subject to genuine deliverability risks owing to the third party land ownerships involved in the access arrangements, survived Step 3 and was taken forward for sustainability appraisal, whereas Option E6, which is much less sensitive in landscape terms and in the location that the high level sustainability appraisal indicated to be the most appropriate for development, was not.</p> <p>4.3 The elimination of reasonable options at Step 3 prior to sustainability appraisal at Steps 4 and 5 therefore represents a significant flaw in the revised SSP. Having identified 'reasonable alternatives', all of the alternatives identified ought properly to have been taken forward for sustainability appraisal prior to elimination of any options on the basis of concerns regarding their undeliverability. Any options that rank highly following sustainability appraisal should only be eliminated on grounds of undeliverability in the event of there being robust evidence to demonstrate that there is no prospect of those options yielding their capacity during the plan period. 4.4 The evidence relied on in the SSP, and in</p>
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	<p>particular in rejecting Option E6, comprised little more than supposition regarding a correlation between the number of promoters involved and delivery failures. There is no necessary connection between the two, particularly where it is clear that sites are being actively promoted, and indeed can be brought forward in parallel with other parts of an overall allocation.</p> <p>4.5 The Council's rejection of Option E6 is perverse and, quite simply, wrong. Having accepted it's deliverability as part of Option E3, as well as the deliverability of the other land interests comprising Option E6 having accepted Option E5, the latter comprising the option that has been allocated in the Proposed Modifications, it is completely irrational to reject Option E6 on the basis of deliverability concerns regarding the number of SHLAA interests involved in that option. This is compounded having regard to the fact that the additional SHLAA interest included in Option E6 (site 473) lends itself to early and independent delivery at the southern end of the overall development area.</p> <p>4.6 It is clear that the deliverability concerns relate to the smaller extension sites that have been added to the originally preferred Option (E2), comprising SHLAA sites 504, 639 and 472. However, the Council's solution to this in including them in the currently preferred option (E5), is to exclude them from the overall masterplan and allow them to come forward independently as they become available. It is therefore unclear how adding in SHLAA site 473, a site that is being actively promoted by a developer and which can form an early phase of development in the south of the allocation area, can reasonably be held to increase the risks of delivery failures. On the contrary, adding in SHLAA site 473 would reduce the risks of a shortfall in delivery from the South West Chippenham allocation in the event that SHLAA sites 504, 639 and/or 472 do not come forward. If there are genuine risks relating to the deliverability of the latter three sites, then Option E5 should have been rejected at Step 3 on the basis of the approach in the revised SSP, and a revised Option E6 comprising Option E2 plus SHLAA site 473 taken forward for sustainability appraisal.</p> <p>4.7 It is not a defence to argue that SHLAA site 473 has been subject to sustainability appraisal as part of Option E3. It is quite clear from the evidence base that an option that includes land to the south of the West Cepen Way roundabout gives rise to a very different outcome from the SA than one that does not extend onto the rising land to the south. An option that extends as far as, but no further than, the West Cepen Way roundabout is therefore a 'reasonable alternative' that, once again, has not been properly tested through SA. It was erroneously rejected at Step 3 without clear supporting evidence.</p> <p>4.8 It is interesting to note from the SSP that, following SA, there is further testing of the surviving options in terms of their deliverability at Step 6. This is a more appropriate stage at which to test options that perform well through the SA, and which should only then be rejected if there is clear and incontrovertible evidence that they are unable to yield their capacity during the plan period. The SSP is therefore flawed in testing options in this regard at Step 3, and which in consequence invalidates the entire procedure since the errors carry through to affect each subsequent stage.</p> <p>4.9 The introduction at Step 6 of notional link road alignments into permutations of surviving options, and which are then incorporated as development strategies for further testing, is also not considered to be a sound approach. There is little evidence to justify the selection of link road alignments, or of the testing of options which themselves have been subject to SA. In the case of the SLR, the notional alignment shown could impact adversely on the Rowden Conservation Area, and may not achieve the most appropriate connection with the existing strategic highway network. A more southerly alignment that connects directly to the West Cepen Way roundabout and routes away from the Conservation Area may well be more appropriate, but which does not appear to have been properly considered or tested through SA. A more southerly route, which could provide a new and robust southern limit to the town as the A350 has done to the west, could influence the choice of site options to be included in the development strategies for further testing, and would further strengthen the case for including SHLAA site 473 as a 'reasonable alternative'.</p> <p>4.10 The SSP would therefore appear to be further flawed in its attempt to retrofit link road alignments to pre-selected development options rather than being integral to the process of selecting the development options themselves, with appropriate SA of alternative road alignments.</p> <p>5. Overall Conclusions</p>
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5.1 Having regard to the foregoing submissions, the overall conclusion can be summarised as follows: · The revised SSP is flawed in its methodology since, having identified 'reasonable alternatives', it fails to subject all such alternatives to sustainability appraisal.

- The SA is therefore flawed since it fails to appraise all 'reasonable alternatives'.

Since potentially sustainable options are eliminated without being subjected to SA, the outcome of the SSP is potentially a development strategy that is not robustly justified by the SA.

- The rejection of 'reasonable alternatives' at Step 3 is not supported by robust evidence.
- Since the SSP is based on a 'stepwise' procedure, the procedural error at Step 3 results in the entire process being flawed.

5.2 As a result of the flaws in the SSP, the allocations contained in the draft Plan are unsound. Ipso facto , since the allocations are the essence of the Plan, the plan itself is unsound.

5.3 The Council is incorrect in its assumption that the risks of delivery failure increase commensurately with the number of SHLAA interests involved in a development option. The key issue is the commitment of the relevant interests to bringing land forward. In this respect, in the case of Area E, there is no evidence on which to base a conclusion that Option E6, incorporating one additional interest compared with the preferred option, E5, and who are actively promoting the site, is undeliverable. Indeed, inclusion of SHLAA site 473 is a safer option bearing in mind that the only uncertainties identified by the Council relate to the smaller extension sites that have been added to Option E2 resulting in Option E5.

5.4 The revised SSP therefore appears unnecessarily complicated, inconsistent and repetitive in that similar matters are considered at different stages in relation to different options. In part because of this, 'reasonable alternatives' comprising potentially sustainable options are prematurely and inappropriately eliminated, and are not taken forward for assessment against other alternatives through SA. As a result, not only is the SSP flawed, but the plan is potentially not justified by the SA.

5.5 As the Council acknowledges in the SSR (para. 3.35), Option E6 could deliver the whole plan requirement for housing. Under the SSP that underpinned the CSAP Submission Draft, further strategic areas were only deemed necessary in the event that the plan requirement could not be accommodated in the first preferred area. Notwithstanding that the revised SSP does not contain that explicit presumption, proper application and justification of the plan through the SA would result in that consequence. It is therefore imperative that all 'reasonable alternatives' are robustly assessed, and those that perform best through the SA only eliminated in favour of worse performing

alternatives where there is robust evidence that the preferred option will not deliver the plan requirements. 5.6 In this instance it is important to bear in mind that the Development Plan comprises both the Wiltshire Core Strategy (WCS) and the CSAP. A substantial part of the overall requirement for Chippenham will be met through the committed sites at North Chippenham and Hunter's Moon, and any sites that are allocated in the CSAP will be in addition to those commitments. Therefore, even if only one major additional site is now allocated in the CSAP, there will be a choice of sites and development locations in Chippenham. Given the limited length of the remaining plan period, it would seem likely that a fourth development location, and particularly one that relies on significant road infrastructure, including that associated with an earlier development phase, with complexities caused by third party ownerships and railway crossings, gives rise to greater risks of non-delivery than an extended allocation at Area E that can be developed at an early stage and independently from the remainder of the development area.

	<p>5.7 For all of the foregoing reasons it is concluded that the CSAP Proposed Modifications will not lead to a sound plan since it fails to satisfy the tests of soundness set out in the NPPF (para. 182):</p> <ul style="list-style-type: none"> · The plan is not positively prepared in that it does not seek to ‘meet’ objectively assessed needs. In particular, it relies on additional sites in Area E that are of uncertain deliverability during the plan period, and a fourth strategic area that is highly sensitive in landscape terms, and therefore of uncertain capacity, requires significant highway infrastructure, and is dependent on the prior development of another strategic site. · The plan is not sufficiently justified in that the SSP on which it is based is flawed, failing to test all reasonable alternatives on a proper basis, eliminating some reasonable alternatives without undergoing sustainability appraisal, based on supposition rather than clear evidence, and the plan in consequence is not based on the most sustainable development strategy. · The plan is not effective since it is of uncertain deliverability during the remainder of the plan period in that it eliminates sustainable development options on the basis of erroneous suppositions regarding their deliverability, includes alternatives that are of dubious deliverability, and does not incorporate the most sustainable development strategy since the both SSP and SA are flawed. <p>The plan is not consistent with national policy in that it would not ‘boost significantly’ the supply of housing through, inter alia , using the evidence base to ensure that it ‘meets’ the full objectively assessed needs for market and affordable housing. To the extent that the allocation strategy risks delivery failures, and prefers locations in which there would be greater landscape impacts ahead of those with greater capacity to accommodate development, the plan would fail to progress economic, social and environmental gains simultaneously, and which are central to achieving sustainable development.</p>		
Sound changes	Consequential amendments as a result of representations to modifications S17, S18 and S20 to omit the references to the smaller extension sites if the omission site is included as an alternative to them (see representations to Modification S18).		
Other comments			
Attached files (Please see Objective)		Relates to SA	Yes
SA comments	<p>For reasons set out in the attached representations, the Sustainability Appraisal is flawed in that it has failed to assess all ‘reasonable alternatives’, some of which were erroneously eliminated at Step 3 of the Site Selection Process prior to undergoing SA. In consequence, the plan does not incorporate the</p> <p>most sustainable development strategy, and is therefore not justified by the evidence base.</p> <p>HLM supports the proposed modifications to the extent that a third strategic location, and Area C in particular, is no longer identified to contribute to the Core Strategy housing requirement during the</p> <p>current plan period to 2026. However, HLM continues to object to the Proposed Modifications to the extent to that they have failed to resolve the criticisms of the SSP/SA that caused the Inspector to suspend the Examination in November. On the contrary, for reasons that are set out below, it is</p>		

	HLM's view that the revised SSP exacerbates the previous concerns regarding the process of site selection, brings the exclusion of some 'reasonable alternatives' into sharper focus, and contributes to the conclusion that certain areas have not been subject to robust evaluation, and the Plan is unsound in consequence.
Themes	Delivery and Plan Strategy

Appendix 3

Table 12.1: Proposed Monitoring Programme

No.	SA Objective against which a significant effect has been predicted	Targets	Indicators
1	Protect and enhance all biodiversity and geological features and avoid irreversible losses	100% of applications to achieve net gain of biodiversity through development	Consented applications adopting appropriate mitigation measures to protect and enhance existing sites and species and creating biodiversity features within new development
		100% of applications to maximise opportunities for green infrastructure provision through new development	Consented applications protecting and providing green corridors and aiding in the delivery of a Green Infrastructure network
4	Improve air quality throughout Wiltshire and minimise all sources of environmental pollution.	No applications permitted contrary to the advice of Wiltshire Council on the grounds of air pollution that cannot be mitigated	Air quality in and around new development sites
5	Minimise our impact on climate change and reduce our vulnerability to future climate change	100% of new build to meet CSH and BREEAM targets (at least Level 4 (in full) of the Code for Sustainable Homes and BREEAM “Very Good” standards, rising to the relevant BREEAM “Excellent” standards from 2019	Number of CSH and BREEAM completion certificates issued annually since start of plan period that meet policy requirements
7	Conserve and enhance the character and quality of Wiltshire’s rural and urban landscapes, maintaining and strengthening local distinctiveness and sense of place	100% of applications to minimise harmful impacts from development on landscape character	Consented applications approved in designated landscape areas against professional landscape advice.
		100% of applications to maximise opportunities for green infrastructure provision through new	Consented applications protecting and providing green corridors and aiding in the delivery of a Green

		development	Infrastructure network
9	Reduce poverty and deprivation and promote more inclusive and self-contained communities	Reduction of backlog of affordable housing need in subsequent SHMAs	Consented applications with at least 40% affordable housing
		Completed housing reflects the type, mix and size required evidenced by the latest SHMA	Type, mix and size of housing completions by HMA
10	Reduce the need to travel and promote more sustainable transport choices	Road traffic growth for cars to be the same or lower than the National Transport Model (NTM) 2009 Forecast for rural areas throughout the plan period.	Level of road traffic growth for cars (using the NTM).
		Increase in total distance travelled by mode for cycling, walking and bus to be the same or greater than the NTM Forecast	% of new residential development within 30 minutes public transport time of a GP, hospital, school, employment and a major health centre
11/12	Encourage a vibrant and diversified economy and provide for long-term sustainable economic growth/ Ensure adequate provision of high quality employment land and diverse employment opportunities to meet the needs of local businesses and a changing workforce	Delivery of 1.77ha of employment land per annum	Net average annual completions since the start of the plan period
		Reduce ratio of dwellings to employment land ratio since adoption of the plan	Dwellings to employment land ratio