

CHIPPENHAM SITE ALLOCATIONS PLAN
WILTSHIRE COUNCIL RESPONSE TO INSPECTOR'S LETTER DATED 5TH
OCTOBER 2015

Introduction

1. The following statement sets out Wiltshire Council's response to topics raised by the Inspector in his letter to the Council dated 5th October 2015. Namely:
 - Representations by Highways England
 - Proposals for an Eastern Link Road
 - Land North of the North Wiltshire Rivers Way
2. In each section below, the specific issue raised by the Inspector that is being addressed in this statement is identified in *italics*.
3. In addition to the three main topics listed above, attached to this statement at Appendix 1, is a position statement setting out the up to date situation regarding planning applications at North Chippenham and Hunters Moon. The same statement is appended to the Council's submission in relation to Matter 6 (M6/1).

Representations by Highways England

'Highways England concerns regarding the impact of proposals...'

4. Highways England are concerned about the cumulative impact of development at Chippenham on junction 17 (J17) of the M4 (comment references 14, 337 and 338). It is understood that Highways England's concerns can be resolved by the delivery of a part signalisation of J17 of the M4. Provisional public funding has been secured for this work through the Local Economic Partnership Local Growth Fund as part of the A350 Improvement Package. In the absence of a fully costed detailed scheme however, the Council has agreed to help supplement any funding shortfall, should there be one, from the Community Infrastructure Levy. The Council's Regulation 123 List already allows for Community Infrastructure Levy funding to be used for J17 improvements. Highways England does not raise any other concerns regarding the strategic road network and do not object to an Eastern Link Road (ELR).
5. Wiltshire Council as both Highway Authority and Local Planning Authority continue to liaise with Highways England and the latest position will be set out in a Statement of Common Ground between Highways England and Wiltshire Council.
6. From the outset the potential impact of development on the wider highways network was a consideration as recognised in Criterion 3 of Core Policy 10 and an objective of the transport and accessibility evidence to protect the functioning of the local highway

network. For example Theme 2 of the Evidence Paper 3: Transport and Accessibility Part 1 was '*potential strategic area highway access and network impacts*'¹.

7. For clarification there is no part of the Strategic Road Network (SRN) that runs through the Plan area. That part of the SRN where site allocations are anticipated to have an effect is the M4 and specifically J17. The A350 although locally significant is not part of the SRN. An ELR will neither be part of the SRN nor part of the strategic transport network as defined in the Wiltshire Core Strategy².
8. The May 2013 Chippenham Transport Strategy (CTS), (CTAN/01) supports the previous pattern of development and the lower scale of growth at Chippenham of 4,000 homes proposed in the WCS at that time and needs to be updated to reflect the current proposals. Now that a strategy is proposed in the Plan that the Council considers will bring about the least impact on the local highway network a revised CTS is being prepared to further mitigate the potential impact of development. This will be published in draft to aid the examination process (CTAN/08). It will remain a draft document until the Plan is progressed to adoption as the components of the CTS will need to reflect the final adopted Plan. The revised strategy will recognise the cumulative impact of development on J17 of the M4 and other key junctions within the Plan area alongside other initiatives to seek to reduce the need to travel.

Proposals for an Eastern Link Road

'...the ambiguous nature and character of the actual road proposal'

'...although the role of the ELR to provide a visual boundary to the town has been deleted, the intention remains within the Development Strategy (para 4.21).'

'The proposed change to include a new Policy CH5 for the Chippenham Eastern Link Road is noted. Whilst this does provide clarification, it is also necessary to amend the Proposals Map to illustrate the Policy in order to conform to Part 4, S9(c) of the Regulations.'

9. An ELR will connect the A4 to the A350. It envisaged as a single carriageway width of 7.3m. This is 600mm wider than a road that a developer might otherwise build for a large scale development, for instance, capable of accommodating a bus route. It will be the same standard throughout. Frontage development will be limited and set back from the road. A slightly enhanced specification recognises its particular role in the local network but the nature of the ELR does not preclude it from being a road internal to a development rather than on its periphery. It will not form part of the Primary Route Network³.
10. The Plan suggests that a road corridor can act as the basis for a visual boundary to the town where there are no existing features which can act as a limit to development. This

¹ CEPS/05, paragraph 2.1, Evidence Paper 3: Transport and Accessibility Part 2

² CWC/01, Wiltshire Core Strategy Adopted, paragraph 6.178, Wiltshire Council (Jan 2015)

³ CWC/01, Wiltshire Core Strategy Adopted, paragraph 6.178, Wiltshire Council (Jan 2015)

is intended as the case for North Chippenham and East Chippenham sites. At Rawlings Green there is mature hedgerow which will provide a strong visual boundary⁴. A route through, rather than around, development at Rawlings Green opens up scope for some limited frontage development on both sides and this is currently being considered as a part of preparing a master plan for the site (Rep 304). The central section may therefore vary solely in this respect compared to others but the developer's approach is not at variance with the overall scheme.

11. Paragraph 17.3 of the Site Selection Report proposes that the route of overhead power lines that runs north-south over much of the area would provide the basis for a potential site boundary. These lines would represent a sensible corridor for new distributor road. This route is proposed as a visual eastern boundary to proposals at East Chippenham. Paragraph 4.21 of the Plan refers to this approach as a 'landscaped corridor'. Policy CH3 reflects this requiring:

*"Strategic landscaping and open space to retain and reinforce existing hedgerows and establish new areas of substantial planting"*⁵

12. Although it is an overall objective for development to provide a new rural edge to east Chippenham⁶, a proposed change⁷ is intended to introduce some flexibility, partly in recognition of the ELR's capacity for some limited frontage development, so that a treatment of the corridor will not necessarily be wholly carried forward by strategic landscaping. To reflect this change the Council has proposed changing the text to paragraph 4.21 as set out under appendix 2 to this statement⁸.
13. The Council's response to the Initial Inspector's Appraisal suggests that new supporting text and policy could be introduced to the Plan to add clarity on an ELR⁹. On reflection, the Council consider that the ELR is a product of the site selection process and should be discussed as part of the development strategy rather than a specific policy in its own right. The Plan does not prescribe a precise alignment for an ELR to show on the policies map and doing so would be contrary to a more detailed design led approach advocated in the Plan. A fuller explanation of the Council's approach is contained in its position statement under Matter 4. (Paragraphs 1.1 – 1.14, M4/1)

⁴ CSAP/03, Chippenham Site Allocations Plan Site Selection Report, paragraph 12.4, Wiltshire Council, (Feb 2015)

⁵ CSAP/01, Chippenham Site Allocations Plan: Pre-Submission Draft Plan, policy CH3

⁶ CSAP/01, Chippenham Site Allocations Plan: Pre-Submission Draft Plan, paragraph 5.22, Wiltshire Council, (Feb 2015)

⁷ CSAP/02, Chippenham Site Allocations Plan Proposed Changes to Pre-Submission Draft Plan, proposed change 36, Wiltshire Council, (Jul 2015)

⁸ M9/1, Examination Change 4/02 in Matter 9, Wiltshire Council, (Oct 2015)

⁹ EX/2, Response by Council to the Inspectors Initial Appraisal, 28 September 2015, paragraph 3.15, Wiltshire Council (Sep 2015)

Land North of the North Wiltshire Rivers Way

'a final masterplan may not promote development for housing north of the NWRW. This may well be a function of the use of indicative plans on an OS base map, but it provides policy plans which display a spurious accuracy and cannot be relied upon to give a true indication of the Plan's intent.'

14. The Council's response to the Inspector's initial appraisal summarises the Plan's approach¹⁰. This includes the following:

*'The land uses shown in Figure 5.3 of the CSAP are indicative only. A final master plan is not constrained by this illustration and may not promote development for housing north of the North Wiltshire Rivers Way. Detailed landscape visual impact assessment as part of the master plan process for the site may propose alternative internal layouts within the site boundaries. The only CSAP requirement for this part of the site is to make the road connection with a minimum amount of visual impact.'*¹¹

15. The fact that it falls to the preparation of a master plan to determine if and how housing development may take place north of the North Wiltshire Rivers Ways does not give the policies map a spurious accuracy or undermine reliance on it as a true indication of the Plan's intent. A strategic site is defined as a large mixed use development. That definition therefore includes a variety of many different uses. The policies map therefore accurately shows the extent of strategic site proposals. The indicative plan¹² contained in the Plan illustrates a possible arrangement of just three main blocks of employment, greenspace and residential uses.
16. In the case of East Chippenham, it is the intention that an ELR corridor defines a rural edge within which the town's urban growth is contained. Howsoever it is ultimately used, some land north of the North Wiltshire Rivers Way will lie within this boundary removed from the open countryside. This is the effect of proposals contained in CH3 and the policies map accurately portrays this intent.

¹⁰ EX/2, Response by Council to the Inspectors Initial Appraisal, 28 September 2015, paragraphs 4.22 – 4.26, Wiltshire Council (Sep 2015) (EX2)

¹¹ EX/2, Response by Council to the Inspectors Initial Appraisal, 28 September 2015, paragraph 4.25

¹² CSAP/01, Chippenham Site Allocations Plan: Pre-Submission Draft Plan, figure 5.3, Wiltshire Council, (Feb 2015)

APPENDIX 1:

Planning Update in relation to North Chippenham and Hunters Moon

Mixed use development on land at North Chippenham, Hill Corner Road, Chippenham

12/00560/OUT

Planning application update as of 22/10/15

Background

This planning application was considered by the Council's Strategic Planning Committee on 16th April 2014. At that meeting of the Strategic Planning Committee, it was resolved to grant planning permission, subject to planning conditions and the delivery of necessary infrastructure.

Initial delays were experienced as a consequence of the implications of designating land relating to the site as a Village Green. Since that time, the applicants and the Council have been in negotiations regarding the nature and quantum of infrastructure to be delivered by Section 106. Those negotiations have involved consideration of the viability of development and its impact upon infrastructure delivery as well as the effect of CIL, since its introduction by the Council occurred mid way through those negotiations.

Current position

Negotiations over the Section 106 agreement have now concluded, with agreement being reached on all outstanding issues, including those relating to education and affordable housing. It is expected that a signed agreement will be in existence before the start of the examination. It is also entirely possible that a planning permission will have been granted before or during the examination.

The Section 106 agreement is expected to confirm the following:

- Delivery of a distributor level road link between Maud Heath Causeway and Malmesbury Road;
- Delivery of primary school on site at the appropriate point during build out;
- 20% of dwellings to be affordable housing, comprising an acceptable mix of type and tenure;
- Provision and future maintenance of on-site public open space and play areas;
- Secure future management of the Birds Marsh Wood including its transfer to Council and commuted sum for maintenance;
- Contributions towards public transport access into the site;
- Contributions towards waste management; and
- Provision of allotments.

Mixed use development on land at Hunters Moon, Chippenham

13/01747/FUL

Planning application update as of 22/10/15

Background

An application for planning permission for a mixed residential and commercial scheme at the site known as Hunters Moon was submitted by Bloor Homes on 6th June 2013 under application reference N/13/01747/FUL. The hybrid application seeks consent for the demolition of existing buildings and structures and mixed-use development, comprising up to 450 dwellings; up to 2.33 ha of employment (B1, B2 and B8) development; land for a primary school; public open space; landscaping; and all associated infrastructure works (with all matters reserved other than access); with a full planning application for the first phase of the development comprising 103 dwellings, open space, and 10 B1 employment units, drainage works including attenuation pond, and associated infrastructure.

The application was presented to Wiltshire Council's Strategic Planning Committee on 22nd January 2014 with a recommendation for approval. The Committee members resolved that planning permission should be granted, subject to the finalisation of the Section 106 agreement to include the following planning obligations for:

- Delivery of affordable housing;
- Delivery and maintenance of on-site play and public open space;
- Delivery of site access works, cycleways, off-site works including works to Pheasant roundabout, and provision of new bus to allow dedicated service to run through the site;
- Delivery of costs associated with proposed Travel Plan;
- Delivery of a contribution towards strategic highways works;
- Delivery of 1.2 hectare of land for the provision of a single-form entry primary school; and
- Delivery of a contribution towards local education provision

Current position

Since the resolution to grant at planning committee the applicant has prepared a viability assessment for the consideration of the Council. This was submitted on 7th August 2015. The Council are currently in the process of appointing an independent consultant to review the viability assessment.

The applicant has advised the Council that they wish to revise the layout for first phase of development, where full consent is sought. Therefore, a revised submission is intended to be submitted by the applicant before the end of 2015. This revised scheme will also account for the review by the Council's Education Team, who considers that the site for the provision of a new school within the development is no longer required and this will be omitted from the revised scheme. The quantum of housing and commercial floor space will not be altered due to this.

Since the resolution to grant at planning committee, the Council has also adopted its Community Infrastructure Levy. Therefore, the obligations sought by the development have also been amended since the resolution to grant and this is also being considered as part of the viability assessment.

Appendix 2

Proposed Examination change 4/02:

Paragraph 4.21 is amended as follows:

“.... This area has no obvious features that form a logical natural boundary. The chosen site option identified in Figure 4.1 **suggests** ~~creates~~ a new potential boundary by taking a new distributor road to form a landscaped corridor that would provide visual containment and an attractive edge to the town. **The final detailed alignment of the new distributor road will be determined through the master plan process that is required to support any planning application and will be informed by detailed studies in relation to, for example, landscape impact, biodiversity, heritage assets and ground conditions.**”