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Dear Ms Clampitt-Dix

Chippenham Site Allocations Plan (CSAP) – Resumed Examination in Public

Please find attached matters and issues, together with a draft programme, for the resumed hearings commencing Tuesday 27 September 2016. I would be grateful for any comments, omissions or amendments you consider appropriate. The draft should also be circulated to representors for comments at this time.

As the Council will be aware the 2004 Act, s20(6) only makes provision for persons seeking to change the Plan to appear at the hearings: the statutory right to be heard does not extend to those supporting the Plan. Some representors have indicated a wish to be heard although supporting the Proposed Changes and they can only be accommodated if the Council calls them to provide evidence in support of the Council's Proposed Changes.

I am aware that I suspended the Examination before all of those who made representations had been heard. Whilst the Resumed Examination will consider the Proposed Changes, those representations in respect of the original Submission Version of the Plan remain before the Examination and will be taken into consideration.

A number of representations question matters of clarity or suggest that textual changes are necessary. In particular, a number of representations on behalf of the CPRE request such changes but do not offer alternative wording for consideration. This could take up a significant amount of hearing time to go through these in detail, taking account of suggestions and counter-suggestions. Would it be possible for the Council to negotiate agreed wording in advance of the hearings in this case, and any other with similar representations? I appreciate this may not be possible in all circumstances where the differences are too wide and it will remain necessary to consider some representations at a hearing session.

Some of the Proposed Modifications fall within the definition of 'additional modifications' which the Council may, at its discretion, incorporate in the adopted plan - 2004 Act, s23, (3(b)) - and will not be considered as Main Modifications for the purposes of the Resumed Examination. These are Proposed Changes: S1; S3; S92*;

S89; S95*; S10; S11; S12; S90; S45; S46. For the time being I suggest the list retains the existing numbers to avoid confusion, but renumbering will be necessary at some point for the purposes of my report.

Some representors consider the Plan has changed so significantly that it should be withdrawn. From my initial appraisal I have not formed the view that the Proposed Modifications amount to a total re-writing as referred to in the revised 4th edition of the Procedural Practice Guidance, para 5.28, for the following reasons:

- The Plan continues to fulfil its single identified purpose of identifying strategic sites in accordance with the overarching policies of the Core Strategy;
- Its objectives remain the same;
- The essential difference from the Submission Version lies in the spatial distribution of the strategic sites.

Nevertheless, I will keep an open mind and provision is made within the hearing programme for this matter to be discussed.

It appears to me, from my initial appraisal, that it will be necessary to provide further evidence of deliverability relating to the Rawlings Green Strategic Site. Firstly, development of this site remains to some extent dependent on prior development of the North Chippenham allocation to provide access. Whilst the Council's document 'Improving highway network resilience at Chippenham' (Section 11: Delivery) provides some detail of contingency plans to resolve delivery problems, questions remain. For example, para 2.1 of that document still refers to final S106 agreements being 'pending' in respect of the North Chippenham site. Clearly continuing delays in the development of this site would prejudice the ability of Rawlings Green to meet development requirements within the Plan period. Secondly, from Table B, the figure for less than £1m for provision of the rail bridge appears to be questionable – particularly in the context of over £2m for the 'upgrade of the existing Parsonage Way' (although the description of Section 2 in Appendix C does not make specific reference to Section 2a which may be a reason for confusion). Consideration of concerns over delivery of Rawlings Green will form part of the hearings so that additional evidence from the Council, perhaps supported by the prospective developers, would be helpful.

I have noted that Messrs Wavin did not object to the Submission Version of the Plan. Whilst, as the Council has observed, this may be surprising, the representation relates to a Proposed Modification and so their objections will be considered at the hearings.

As part of my initial appraisal, I have noted that Proposed Modification S43 makes reference to completion of the 'Eastern Link Road' in para 5.18. I would need to be persuaded that this is necessary since it makes reference to a potential development that is not within the Plan. In any event, there is a reference at S37 to ensure development at Rawlings Green does not undermine future development of the town. This reflects good planning practice and appears to me sufficient to safeguard future opportunities.

A final point is that, from my initial appraisal, I can confirm that it will not be necessary for me to call on assistance from expert assessors as originally anticipated.

Yours sincerely

Patrick T Whitehead (Inspector)