To which part of the Purton Neighbourhood Plan does your comment relate?

The Neighbourhood Plan as a whole

Comment

The work on the Plan has been thorough and detailed. It has been drafted by local people steeped in local issues and values. The Plan represents a firm foundation on which future housing may occur. It articulates simply and with evidence the most favourable location for future housing. All other locations have been assessed and have less positive attributes.

I support the Neighbourhood Plan
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID
Response Date
Status
Submission Type
Version
Comment

Thank you for consulting Highways England on the Purton Neighbourhood Development Plan. Your plan does not represent a severe impact on the Strategic Road Network and Highways England therefore offers no comment.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 3
Response Date 16/03/18 11:39
Status Processed
Submission Type Web
Version 0.2

To which part of the Purton Neighbourhood Plan does your comment relate?

Section 13.1.5 Settlement Boundary

Comment

The plan refers to New Road and Land North of the railway line. There are a considerable number of houses and business premises North of the railway line, both historic and relatively new build, yet this entire area is shown as outside the framework boundary. Should the opportunity not be taken to update the framework boundary to reflect the actual existing physical boundaries of the village? I have seen a previous Wiltshire council proposal "draft proposals for revised settlement boundaries" (2014 - I have a copy of this) which showed the framework boundary extended to do just that including the settled area North of the railway line so why was that not adopted in the Purton plan?
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 4
Response Date 16/03/18 12:10
Status Processed
Submission Type Web
Version 0.2

To which part of the Purton Neighbourhood Plan does your comment relate?

3.11 Purton Policies

*Purton Policy 6: Flooding*

Comment

The policy refers to flooding of New Road to the North of the railway line. There is anecdotal evidence of flooding in this area after severe sudden rainfall but recent occurrences have been restricted to the road and gardens of a small number of properties at the West end of New Road. Significant works have been undertaken in clearing out the ditches that run North from this area and I understand a commitment has been obtained from Hills to maintain the key ditch running along the boundary of their property. These works and the clearance of the ditch running North alongside Cricklade road from its junction with Mopes Lane have largely alleviated the flood risk and I am not aware of any flooding occurrences since. I would suggest the professional view of Richard Williams, Drainage Engineer at Wiltshire Council is sort on this clarifying this matter.

Rather than restricting development North of the railway line because of a perceived occasional surface water flooding risk, which would presumably include the proposed employment land at Mopes Lane and the Penn Farm Industrial Site, would it not be better to focus policy on the landowner’s responsibility for continued maintenance of key drainage ditches and culverts to prevent flooding in the first place?
### Comments

**Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)**

| Comment ID | 5 |
| Response Date | 17/03/18 10:30 |
| Status | Processed |
| Submission Type | Web |
| Version | 0.3 |

**To which part of the Purton Neighbourhood Plan does your comment relate?**

The whole Plan

**Comment**

The residents of our village have been fully involved in the creation of this Plan. It is very important for the residents to feel they have control of the environment in which they live as opposed to developers whose only interest is profit, regardless of cost to the community. Purton has a number of planning issues and this Plan fully addresses those issues.

I fully support this Plan.
To which part of the Purton Neighbourhood Plan does your comment relate?

The Complete Document

Comment

The document appears to fulfill the future needs of the community and has taken into account the topographical area, future population growth and areas of future development without spoiling the rural community and it's identity.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 7
Response Date 19/03/18 18:48
Status Processed
Submission Type Web
Version 0.2

To which part of the Purton Neighbourhood Plan does your comment relate?

Future development.

Comment

The Neighbourhood Plan has been put together by a steering group made up of local residents who understand the needs now and in the future for housing. Residents have been kept informed and given an opportunity to comment on a number of occasions. We consider the Neighbourhood Plan to be an accurate assessment of the needs of our village and where the most sustainable development parcels are situated.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 8
Response Date 19/03/18 20:42
Status Processed
Submission Type Web
Version 0.3

To which part of the Purton Neighbourhood Plan does your comment relate?

General comment

Comment

My comments relate to the plan as a whole which in principle I support. The plan appears to take a balanced view seeking to improve facilities for the elderly, a limited number of houses, maintaining green zones / sites of interest and redevelopment of the shops at Pavenhill. The amount of traffic and traffic movements in the village is an area of concern, which is also commented upon in the plan. I believe any increase in housing should be carefully accessed to make best efforts to minimise the increase in traffic movements and hence risk to village dwellers. Sites at risk of flooding should be avoided. I would also like it considered that the road surfaces / pot holes around the village are in need of improvement, particularly Witts Lane and roads adjacent to Witts.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 9
Response Date 20/03/18 09:22
Status Processed
Submission Type Web
Version 0.3

To which part of the Purton Neighbourhood Plan does your comment relate?

Overall Comment

Comment

The plan is very concise and detailed with much effort taken to safeguard future development in a rural areas with a fast expanding outside area creating issues of traffic. This plan will ensure that the Parish has a say in the safe future development taking into consideration the layout of the land, the needs of the community and the future of Purton.
<table>
<thead>
<tr>
<th><strong>Comment</strong></th>
</tr>
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<tbody>
<tr>
<td>Please see attached our consultation response, as provided on behalf of Hill Homes Developments Ltd.</td>
</tr>
</tbody>
</table>
February 2018
Delivered by Email

Dear Sir/Madam

PURTON NEIGHBOURHOOD PLAN: REGULATION 16 CONSULTATION

Introduction

1.1 This response to the draft Purton Neighbourhood Plan is submitted by Turley on behalf of Hills Homes Developments Ltd.

1.2 Our client controls land located at Pavenhill, which was the subject of a recent planning application Ref. 16/03625/FUL that was refused permission by Wiltshire Council on 16 November 2016. The application sought permission for the erection of 25 dwellings, with associated landscaping, access arrangements and the provision of public open space.

1.3 Wiltshire Council’s decision is currently the subject of a planning appeal (PINS Ref. APP/Y3940/W/17/3166533). Due to unforeseen circumstances, a second Appeal Hearing is scheduled to take place on 02 March 2018 and is programmed to last one day.

1.4 The site has been formally promoted for allocation in the Neighbourhood Plan, and representations were made to the previous consultation on the emerging Plan, as took place during the summer of 2017. Our client maintains concerns expressed previously and does not consider that the draft Plan (now the subject of this statutory Regulation 16 consultation) has been meaningfully altered. Accordingly, it is considered that the detailed representations submitted previously remain pertinent. As such, the comments provided herein cross-reference the detailed analysis set out in the August 2017 representations. These are included at Appendix 1 of this letter.

Representation

1.5 This Consultation Response focusses on key draft policies relevant to the site and the local context, and finds that many elements of the Plan remain contradictory and ambiguous. Furthermore, the document exhibits a marked failure to understand the economics of the development process. Overall, our client does not consider that the draft Neighbourhood Plan meets the ‘basic conditions’, as specified at paragraph 8(2) of Schedule 4B to the TCPA 1990 (as amended).
RESPONSE TO DRAFT POLICIES

Purton Policy 2 ‘To Improve Road Safety’

1.6 This policy is poorly conceived, as it is not clear how it will be applied in the context of development management. Furthermore, the policy proposes to use CIL payments to fund a feasibility study. We advise that this would not constitute infrastructure and we remind the Neighbourhood Plan Steering Group (and the Parish Council) that CIL cannot be used as a replacement for general expenditure. Funds which are incorrectly spent will need to be returned.

Purton Policy 6 ‘Settlement Identity’

1.7 This draft policy is clearly intended as a blanket designation which is not justified and which is designed to inhibit strategic planning and prevent the potential future allocation of sites at the western edge of Swindon. This attempt at subversion takes place in the context of collaborative work between Wiltshire Council and Swindon Borough Council. These parties have undertaken to prepare a Joint Spatial Framework and coordinate their respective Local Plan Reviews. This is on the basis of the findings of the joint Strategic Housing Market Area Assessment (SHMA, 2017) and the joint Functional Economic Market Area Assessment (2017). These findings include the conclusion that the urban area of Swindon and areas of north/west Wiltshire are part of the same Housing Market Area and Functional Economic Area.

1.8 We would refer the Neighbourhood Plan Steering Ground to the PPG at Paragraph: 001 Reference ID: 50-001-20160519;

“Assessing housing need and allocating sites should be considered at a strategic level and through the Local Plan and/or neighbourhood plan process. However, all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”

1.9 There is no robust evidence or justification for draft Purton Policy 12, particularly as the land falling between the Swindon Urban Area and Purton (and surrounding villages) is not constrained by designations (i.e. Green Belt, Area of Outstanding Natural Beauty, etc.), which might present more fundamental obstacles to future development.

1.10 In addition, we also consider that the draft Neighbourhood Plan policy conflicts with Core Policies 2 and 44 of the adopted Wiltshire Core Strategy. These currently control development outside of settlement boundaries and qualify as ‘strategic policies’ for the purposes of the basic conditions specified at paragraph 8(2) of Schedule 4B to the TCPA 1990 (as amended).

Purton Policy 13 ‘Development Principles’

General Approach

1.11 The supporting text to draft Purton Policy 13 (starting on page 31 of the draft Plan) sets out the proposed approach to the Neighbourhood Plan’s development strategy. In this regard, our client reiterates concerns raised (in our previous representation) regarding the emerging Neighbourhood Plan’s attempt to model Purton’s future population growth and calculate a separate housing requirement for the Parish. The proposed ‘Parish-level’ housing requirement is based on analysis set out in Annex 3 of ‘Purton Planning for the Future’, December 2017 (which is the draft Plan’s main evidence base document) and is described at page 34 of the draft Neighbourhood Plan;
“The growth of the population in the parish identified from “Purton ~ Planning for the Future (2017)” predicts that it will grow by the end of the plan period in 2026 to about 4,618. It represents an additional 236 residents between now (2017) and the end of the plan period. To meet the predicted growth between 2016 and 2026, provision will be made available for a minimum 94 additional dwellings at Purton.”

1.12 As noted in our previous representations (please see Appendix 1 at paragraphs 2.13 to 2.31), the population modelling (undertaken in support of the emerging Neighbourhood Plan) is simplistic and flawed. We would refer the Neighbourhood Plan Steering Group back to paragraph 16 of the National Planning Policy Framework (NPPF). This requires groups responsible for preparing such Plans to; “develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development”.

1.13 We also draw the Steering Groups attention to the Planning Practice Guidance (PPG) 009 Reference ID: 41-009-20160211;

“Although a draft neighbourhood plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.”

1.14 Furthermore, there has to be robust evidence to support particular policies. In this respect, the PPG at Paragraph 040 ref 41-040-20160211 states;

“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order. A local planning authority should share relevant evidence, including that gathered to support its own plan making, with a qualifying body.

…… Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need. In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making”

1.15 As a result (and as is more fully illustrated overleaf) the draft Neighbourhood Plan does not conform to the strategic policies of the Wiltshire Core Strategy, nor does it meet the basic conditions. We invite the Neighbourhood Plan Steering Group to revisit the relevant sections of the PPG at, paragraphs; 009 Reference ID: 41-009-20160211; Paragraph: 040 Reference ID: 41-040-20160211; Paragraph: 044 Reference ID: 41- 044-20160519 and Paragraph: 069 Reference ID: 41-069-20140306. Each of these paragraphs refers to the central importance of up-to-date housing needs evidence and the strict requirement not to constrain Local Plan and national policy objectives.
In-Settlement Sites

1.16 Draft Purton Policy 12 identifies six sites within the Purton Settlement Boundary that are indicated as having the potential to deliver new housing. These are listed below, together with the dwelling capacity identified in ‘Purton Planning for the Future, Annex 8’ (2017);

- Site 66 - Derelict Cottage Farm (College Farm) – 11 dwellings.
- Site 91 - Land at Northcote – 15 dwellings.
- Site 3316 - three sites in Dogridge - 7 dwellings (but across separate sites).
- Site 3318 - Hooks Hill – 14 dwellings (but would result in the loss of 25).
- Land at North View – 12 dwellings (but not promoted in the SHLAA).
- Former Youth Centre (with the adjoining garages and green space) – 7 dwellings (not promoted in the SHLAA).

1.17 As indicated in our previous representations, our client maintains a number of concerns regarding these sites. Firstly, the quantum of dwellings to be delivered on the sites identified is very ambiguous. Draft Purton Policy 12 suggests that approximately 75 dwellings will be delivered. However, a review of the assessment of these sites (as set out in Annex 8 of Purton Planning for the Future) suggests that only 66 units (gross) can be delivered.

1.18 Furthermore, it is noted that the site at Hooks Hill already includes 25 existing dwellings, which would need to be demolished to accommodate a replacement scheme of 14 dwellings. Purton Planning for the Future (2017) acknowledges this at Table 8 (on page 31 of the document), which states that: “Any development at Hooks Hill would replace the existing building and thus is unlikely to provide any net increase in the total number of dwellings”. Indeed, it is likely that the development of that site will result in a net loss of dwellings. Similarly, neither land at North View or the Former Youth Centre was promoted in the 2015 SHLAA Call for Sites consultation. In the absence of proper evidence of their availability (as required by the PPG at Paragraph 040 reference 41-040-20160211), these sites they cannot be considered realistically deliverable.

1.19 Our client is also concerned that proposed Purton Policy 13 places additional obligations on developers (some of which conflict with the PPG at Paragraph: 031 Reference ID: 23b-031-20161116), yet the additional obligations envisaged in these polices are not supported by any robust assessment of viability. Indeed, the draft Neighbourhood Plan gives scant consideration to the relationship between viability and deliverability in general. Aside from rendering the proposed Neighbourhood Plan policies ineffective, the paucity of analysis and understanding of development economics means that the draft document is contrary to the PPG, at Paragraph: 005 Reference ID: 10-005-20140306, and ignores the fact that achieving sustainable development (as defined in the Framework) includes making development viable, as per the NPPF at paragraph 173.

1.20 In addition, we would bring to attention the recent high court Judgment handed down by Mr Justice Dove (Case No: Case No: CO/452/2017). In this case the claimants challenged the defendant’s decision to issue a Written Ministerial Statement (“WMS”) in relation to national planning policy, as concerned with housing and neighbourhood planning (on 12 December 2016), together with a subsequent associated change to the National Planning Practice Guidance (on 10 August 2017). In particular we would highlight paragraph 47 of the judgement, which notes;
“Secondly, as observed by the defendant in the course of argument, if the NDP’s allocations are unrealistically small, then that is a matter which can be taken account of as a matter of weight for the decision-maker: the WMS and the NPPG are policies not rules or laws, and there may be circumstances which require their application to be adapted or afforded less weight.”

1.21 As such, we caution against the approach of proposing a number of very small ‘allocations’ on sites within the settlement boundary. The sites could already come forward for development (irrespective of said allocations) and are therefore ‘windfall’ for the purposes of calculating the supply of new dwellings. In other words, the proposed allocations will not actually add to the anticipated supply of new homes, beyond that which has already been projected by Wiltshire Council. This means that (in accordance with the ruling of Mr Justice Dover) decision makers (i.e. planning officers and planning inspectors) are likely to afford diminished weight to the Plan once it is ‘made’. We would therefore recommend that the Plan is revisited, such that it provides a number of more substantial allocations on sustainable sites, which are outside of the settlement boundary. This will help to ensure that the Purton Neighbourhood Plan makes a meaningful and credible contribution to the supply of new housing.

1.22 We also remark that the wording of Purton Policy 13 continues to be ambiguous and conflicts with Wiltshire Core Strategy Policies at 43 and 45. For further details, we refer the Neighbourhood Plan Steering Group to the comments set out at paragraphs 2.51 to 2.61 of our previous representations (provided at Appendix 1).

Purton Policy 14 ‘Development outside the settlement boundary at Restrop Road

1.23 This site is currently the subject of an application for full planning permission (Ref. 16/10513/FUL) for 38 dwellings. It is notable that both the Parish Council and the Neighbourhood Plan Steering Group continue to formally object to the proposed development.

1.24 We refer the reader to comments at paragraphs 2.66 to 2.74 of our previous representations (which are provided at Appendix 1), which indicate our client’s concern with the proposed allocation and the draft Plan’s apparent lack of understanding of the development process or matters of viability. Such comments have not been taken on board by the Steering Group and remain pertinent.

Site Selection

1.25 Our client continues to express concern regarding the Neighbourhood Plan’s approach to towards the consideration and evaluation of sites which could potentially be allocated for development.

1.26 The underlying concern is that the draft Neighbourhood Plan does not seek to further sustainable development, as defined in the NPPF. Rather, it seeks to advance the invented concept of ‘resilience’ and applies this term as the basis for its consideration of a site’s suitability for development. We explain our concerns regarding the applied methodological approach at paragraph’s 2.75 to 2.79 of our previous representations (attached at Appendix 1).

Land North of Pavenhill, Purton

1.27 Our client retains a particular interest in this site and expresses considerable dissatisfaction and concern regarding the evaluation of it, as set out in the document ‘Purton Planning for the Future’ (December 2017). In our previous representations we provided a detailed critique and revised analysis to assist the Steering Group’s understanding of the site’s sustainability and suitability for development. Our comments have not been taken on board by the Steering Group and thus

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1 Note: Within the previous iteration of the emerging Plan, Purton Policy 13 was formerly listed as Purton Policy 12.
remain pertinent. Accordingly, we refer the reader to our previous representations (and paragraphs 2.84 to 2.91 in particular).

CONFORMITY WITH BASIC CONDITIONS

1.28 The concerns we have in relation to the policies described above, result in the draft Plan failing to meet with the 'basic conditions', as defined at paragraph 8(2) of Schedule 4B to the TCPA 1990 (as amended)².

- (a) having regard to National Policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan,
- (d) the making of the order contributes to the achievement of sustainable development,
- (e) the making of the Neighbourhood Development Plan is in general conformity with the strategic Policies contained in the Development Plan for the area of the authority (or any part of that area),
- (f) the making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with, EU obligations, and;
- (g) prescribed conditions are met in relation to the Neighbourhood Development Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Development Plan.

8(2)(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan.

1.29 A draft Neighbourhood Plan only meets the basic conditions if, inter alia, “having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order” (see paragraph 8(2)(a) of Schedule 4B TCPA 1990).

1.30 In order to have regard to a policy, as a matter of law, that policy has to be interpreted properly by the decision maker. A decision maker who misinterprets policy does not have regard to it and errs in law: see EC Gransden v Secretary of State (1987) 54 P. & C.R. 86, as renewed in Tesco Stores Ltd v Dundee City Council [2012] PTSR 983.

1.31 The PPG, at paragraph 009 Reference ID: 41-009-20160211, confirms that Neighbourhood Development Plans have to have regard to the latest and up-to-date evidence relating to housing need. The Steering Group will be aware of the recent consultations on the Wiltshire Local Plan Review and the preparation of a Joint Wiltshire - Swindon Spatial Framework, as well as the evidence base which supports these emerging documents, and (most notably) the joint SHMA.

1.32 Not only does the draft Neighbourhood Plan not have regard to these emerging documents, it actively seeks to thwart future strategic planning at the Local Plan level. This is self-evident at draft Purton Policy 6, which seeks to prevent any future westward expansion of Swindon. Likewise, the draft Plan is founded on a ‘do it yourself’ assessment of future housing needs (as set out in Purton Planning for the Future). The assessment is profoundly flawed and is conceived of as another mechanism to curtail future housing growth. We would remind the Steering Group of the PPG, which (at Paragraph: 044 Reference ID: 41-044-20160519) notes that;

² The requirements of Paragraph 8(2)(b), (2)(c) (3), (4) and (5) are not of relevance to the compliance with the basic conditions tests.
“The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies (see paragraph 16 and paragraph 184 of the National Planning Policy Framework).” (Paragraph: 044 Reference ID: 41-044-20160519).

1.33 The lack of any understanding of development viability also continues to undermine the likely effectiveness of the proposed Neighbourhood Plan. In this first instance, we would refer the Steering Group to our previous representations (at paragraphs 2.47 to 2.50). These explore our client’s general concerns regarding the draft Plan’s approach to viability in some depth.

1.34 However, our client also has specific concerns with the requirements proposed at Purton Policies 13 and 14. These are considered to be burdensome, such that they will undermine viability and act to impede delivery. In this respect, it is notable that (despite having been submitted in October 2016) planning application Ref. 16/10513/FUL has yet to be determined. This is as a result of the Parish Council and Neighbourhood Plan Steering Group’s continued objections to the proposed development of that site. This is on the basis that the applicant’s proposals are not delivering the draft Neighbourhood Plan’s myriad and ambiguous aspirations for the site.

1.35 We would remind the Neighbourhood Plan Steering Group of the obligations set out in the PPG, which (at Paragraph: 005 Reference ID: 10-005-20140306) states that Neighbourhood Plan’s “should be based on a clear and deliverable vision of the area. Viability assessment should be considered as a tool that can assist with the development of plans and plan policies.”

1.36 Similarly, we refer to the NPPF at paragraph 173;

“Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

1.37 The draft Plan’s emphasis on allocating small sites within the settlement boundary is questionable. In one respect, this is because such sites could (in-principle) already come forward in accordance with the ‘presumption in favour’ (as articulated at Wiltshire Core Strategy Core Policy 2). Indeed, all that draft Purton Policy 13 will achieve is to introduce additional burdens, complexity and ambiguity, which the prospective developers of these (in-settlement) sites would need to address should the Plan be made in its present form. As a consequence, the draft Plan is likely to reduce the quantum of windfall delivery achieved in Purton. Because the Core Strategy already relies on an assumed quantum of windfall delivery being brought forward (in order to meet its minimum housing requirement) the draft Neighbourhood Plan is effectively planning for less development than that currently envisaged in the Development Plan.

1.38 As a result of these concerns, we consider that the draft Neighbourhood Plan would fail to satisfy the requirements of paragraph 8(2)(a) of Schedule 4B TCPA 1990.
8(2)(D) The making of the Neighbourhood Plan contributions to the achievement of sustainable development

1.39 A draft Neighbourhood Plan only meets the basic conditions if, inter alia, “the making of the Plan contributes to the achievement of sustainable development” (see paragraph 8(2)(d) of Schedule 4B TCPA 1990, as amended). Paragraph 7 of the National Planning Policy Framework (NPPF) indicates that sustainable development constitutes three dimensions; economic, social and environmental. Similarly, the NPPF, at paragraph 9, indicates that sustainable development includes “widening the choice of high quality homes”.

1.40 It is considered that the draft Plan will fail to contribute to sustainable development, because it does not actually strive to achieve ‘sustainable development’, as defined in the NPPF. The draft Plan makes no reference to the three roles which the planning system is required to perform and (in our view) seeks to redefine sustainability as a predominantly environmental concept entitled ‘resilience’. This is made clear in Annex 6 of Purton Planning for the Future (December 2017). We refer the reader to paragraphs 2.4 to 2.12 of our previously submitted representations (as provided at Appendix 1). We would encourage the Neighbourhood Plan Steering Group to consider the practical and legal implications of seeking to introduce a new definition of sustainable development into the Development Plan.

1.41 This epistemological starting point is also problematic because it negatively influences the substance of the Plan, in such a manner that it cannot be said to promote sustainable development (i.e. because that isn’t what the Plan sets out to do). For example, the draft Plan (at proposed Purton Policy 6) seeks to inhibit potential development between Purton and Swindon, without any reasonable justification for such. Yet, future growth within that area may well be regarded as contributing to sustainable development. Similarly, with respect to Purton Policy 14, we are concerned that the proposed allocation of the site at Restrop Road (and non-allocation of alternatives) is based on a site selection methodology, which does not derive from the tripartite definition of sustainable development as set out in the NPPF. This underlying flaw is significant, because it subsequently serves to ensure that a set of perverse and illogically weighted criteria are applied to the assessment of sites. The proposed allocation cannot therefore be regarded as justified, having regard to the presumption in favour of sustainable development.

1.42 Consequently the draft Plan is regarded as an obstacle to the achieving of sustainable development and (as such) it cannot be regarded as fulfilling the obligations of paragraph 8(2)(d) of Schedule 4B TCPA 1990 (as amended).

8(2)(E)The making of the Neighbourhood Development Plan is in general conformity with the strategic Policies contained in the Development Plan for the area of the authority (or any part of that area).

1.43 Paragraph 8(2)(e) of Schedule 4B TCPA 1990 (as amended) confirms that a draft Neighbourhood Plan can only be regarded as meeting the basic conditions if it is in general conformity with the strategic policies of the Development Plan.

1.44 For the Neighbourhood Plan to attempt to advance a separate housing requirement (to 2026) is effectively an attempt to ring-fence Purton and circumvent the spatial and delivery strategy as set out in the Wiltshire Core Strategy at Core Policies 1 and 2. Likewise, the draft Plan seeks to introduce a blanket designation to prevent future growth between Purton and Swindon. This is relevant in view of the preparation of the Joint Wiltshire – Swindon Joint Spatial Framework and Local Plan Review (and in the context of the PPG at paragraphs 040 ref id 41-040-20160211 and
009 Reference ID: 41-009-20160211). Accordingly, we draw the Steering Group’s attention to the Court of Appeal ruling in the recent case R(DLA Delivery) v Lewes DC ([2017] EWCA Civ 58);

“If a neighbourhood development plan has been made and the local planning authority later produces a development plan document containing new “strategic policies”, that development plan document will, under section 38(5) of the 2004 Act, prevail over any inconsistent policies in the neighbourhood development plan. And if a policy in a neighbourhood development plan is not, or ceases to be, up-to-date, this will be a material consideration in a development control decision, and may justify departing from that policy.”

Draft Purton Policies 13 and 14 also conflict with other strategic policies in the adopted Core Strategy. The ambiguity of the each of these draft policies creates the potential for conflict with Core Policy 43 and therefore risks impeding the delivery of affordable dwellings. Similarly, the conflict with Core Policy 45 means that the mix of housing envisaged in the draft Neighbourhood Plan is incompatible with the mix sought through the Core Strategy, which is based on the SHMA (2012). Indeed, for the reasons explained in our previous representations, the Neighbourhood Plan (and associated documents) does not provide the robust evidence which would be required to supersede the SHMA-derived housing mix. The effect will be to frustrate the Neighbourhood Plan’s aspirations and also deprive those responsible for determining planning applications of the clarity and confidence to make robust decisions.

1.45 The draft Plan is therefore regarded as an obstacle to the achieving of sustainable development. As such it cannot be regarded as fulfilling the obligations of paragraph 8(2)(d) of Schedule 4B TCPA 1990 (as amended).

CONCLUSION

1.46 As currently configured the draft Neighbourhood Plan does not meet the basic conditions, as set out at 8(2) of Schedule 4B to the TCPA 1990. The draft Plan fails to have regard for national policies and guidance, fails to contribute to the achievement of sustainable development and conflict with a number of with a number of strategic policies within the adopted Wiltshire Core Strategy.

Yours sincerely,

[Redacted]

Sara Dutfield
Director
Appendix 1
Purton Neighbourhood Plan Consultation

Representation on behalf of Hills Homes Developments Ltd.

August 2017
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Christopher Roberts
christopher.roberts@furley.co.uk

Client
Hills Homes Developments Ltd.

Our reference
HILA2001

August 2017
1. Introduction

Background

1.1 This response to the draft Purton Neighbourhood Plan is submitted by Turley on behalf of Hills Homes Developments Ltd.

1.2 Our client controls land located at Pavenhill, which was the subject to a recent planning application Ref. 16/03625/FUL, which was refused permission by Wiltshire Council on 16 November 2016. The application sought permission for the erection of 25 dwellings, with associated landscaping, access arrangements and the provision of public open space.

1.3 Wiltshire Council’s decision is currently the subject of a planning appeal (PINS Ref. APP/Y3940/W/17/3166533). An Appeal Hearing is scheduled to take place on 22 August 2017 and is programmed to last one day.

1.4 The Parish Council and Neighbourhood Plan Steering Group are aware of the proposals to develop our client’s site at Pavenhill. Representatives from Turley and Hills Homes have met with Members of the Parish Council on several occasions to discuss the scheme. Furthermore, a presentation was delivered to Councillors and members of the public at a Purton Parish Council Full Council meeting, held on 08 December 2014.

1.5 The site was formally promoted, for potential allocation in the Neighbourhood Plan, on 18 December 2014. Our submission is appended to these representations at Appendix 1.

The Scope and Summary of these Representations

1.6 This Consultation Response focusses on key draft policies relevant to the Site and the local context.

1.7 We begin by setting out our analysis of each of the key relevant draft policies, their supporting text and the evidence which supports them. We then proceed to analyse the Plan as a whole against the basic conditions. We also provide a brief review of the merits of the proposed development of our client’s site at Pavenhill.

1.8 In summary, the representations make the case that the composition of the present draft of the Neighbourhood Plan reveals that there have been fundamental errors in the preparation of the Plan, especially in those policies relevant to the supply of housing. For a range of reasons, the draft Plan is ambiguous and contradictory. It also demonstrates little understanding of the market-led economics of the development process and is, in many respects, unlikely to be deliverable.

1.9 Concerningly, the basic premise of the draft Purton Neighbourhood Plan (and its associated evidence base document ‘Purton Planning for the Future’) is that the many of the key principles of the National Planning Policy Framework (NPPF) and the adopted (post-NPPF) Wiltshire Core Strategy are wrong. Indeed, in reviewing the draft Plan and its evidence base, it becomes apparent that its authors have sought to employ the Plan
as a mechanism to express an underlying ideological position; that the current planning system is fundamentally flawed and should be redefined within the microcosm of Purton.

1.10 That the draft Plan’s authors take a dim view of the planning system is not a concern in its own right. The issue is that a Neighbourhood Plan is not an academic paper. A Neighbourhood Development Plan is a ‘real world’ document, which once ‘made’ will constitute part of the statutory Development Plan. It is therefore concerning that the draft Plan and its evidence base is conceived of as a vehicle to reinvent and redefine key concepts relating to sustainable development, population forecasting and housing requirements. Such concepts (amongst others) are already established and defined through statute, the NPPF, appeal decisions, Local Plan examinations, judicial rulings and guidance.

1.11 Because the draft Plan starts from the position described, it proceeds to deviate from the relevant legislative and planning policy context. The draft Plan ignores the key principles of the NPPF, it misinterprets the strategic policies of the Wiltshire Core Strategy and largely discounts the Guidance provided in the PPG. Likewise, because of its varied shortcomings, the Plan fails to comply with the provisions of the Neighbourhood Planning Act (2017) nor does it meet the ‘basic conditions’, as per paragraph 8(2) of Schedule 4B to the TCPA 1990.

1.12 Taking account of the above, we conclude that the draft Neighbourhood Plan is not presently fit to progress further without substantial modification.
2. **Response to Draft Policies**

2.1 Hills Homes Developments Ltd does not consider that the draft Neighbourhood Plan meets the “basic conditions” (see paragraph 8(2) of Schedule 4B to the TCPA 1990).

2.2 In this Section, we set out a series of observations on the policy text, the supporting text and the evidence base document ‘Purton Planning for the Future’ (2015), which supports the Neighbourhood Plan.

2.3 We start by examining the draft Plan’s general approach to sustainable development, as this fundamentally influences the general approach to, and formulation of, the Plan’s draft policies.

**Sustainable Development**

**Sustainable Development within the Planning System**

2.4 A draft Neighbourhood Plan only meets the basic conditions if, inter alia, “the making of the Plan contributes to the achievement of sustainable development” (see paragraph 8(2)(d) of Schedule 4B TCPA 1990). Likewise, the Neighbourhood Plans are also required to have regard to “national policies and advice contained in guidance issued by the Secretary of State” (See 065 Reference ID: 41-065-20140306 of the Planning Practice Guidance (PPG)).

2.5 069 Reference ID: 41-069-20140306 of the PPG elaborates further in stating that “A neighbourhood plan or Order must not constrain the delivery of important national policy objectives. The National Planning Policy Framework is the main document setting out the government’s planning policies for England and how these are expected to be applied”.

2.6 The central theme of the NPPF is the promotion of sustainable development. Indeed, the ‘presumption in favour of sustainable development’ is described as its ‘golden thread’. The NPPF clearly defines sustainable development at paragraph’s 6 and 7;

“The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.”

“There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
• a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and

• an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”

2.7 Paragraph 16 of the National Planning Policy Framework (the Framework) is concerned with neighbourhood planning: “The application of the presumption [in favour of sustainable development] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

• develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; [and]

• plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan;”

2.8 The promotion of sustainable development is therefore at the very centre of the planning system. As such, it is gravely concerning that the ‘Purton Planning for the Future (2015)’

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1 The draft Neighbourhood Plan derives the majority of its evidence from a document entitled ‘Purton Planning for the Future (2015)’, which a member of the Neighbourhood Plan Steering Group has prepared.

denounces the concept of Sustainable Development and seeks to replace it;

“It is widely recognised that there are no examples of sustainable development (applied to housing) anywhere in the country. The reason for this was that “sustainable development”, when it was first developed as a concept in 1972, did not apply to infrastructure, or was ever intended to be. Politicians of all shapes and sizes hijacked this phrase and have been citing it, almost mantra-like, ever since.”

2.9 The document goes on to state that;

“Several have called for sustainable development to be re-defined.

Ten scientists have proposed a new architecture for sustainable development and published this in one of the foremost scientific journals, Nature; Policy: Sustainable development goals for people and planet. The director of the Stockholm Resilience Centre, Johan Rockström, recently explained in a video why we must redefine sustainable development.

There is a wide consensus that the notion of resilience is more appropriate when considering infrastructure development. Resilience is the concept whereby individuals or communities are able to withstand and respond to shifting circumstances and shocks while continuing to function and prosper, though within constraints.
Put simply, resilience is the ability to survive, recover from, and thrive in changing conditions (which could be flooding, prolonged drought, energy and food price hikes, natural disaster and so on) over foreseeable timescales. The key is to build resilient infrastructure in the village.

House building which generates parking on roads, enlarging schools that cause traffic congestion, housing developments with no planned connections to major roads and thus cause rat-runs through villages, and creating strategic county waste management sites necessitating massive road hauling to a far “corner” of the county are all examples of poor spatial planning and lack resilience.

2.10 The above argument is irrelevant and misleading for the purposes of a Neighbourhood Development Plan. ‘Resilience’ as defined in Purton Planning for the Future, has no grounding in the statutes, policies and guidance, with which the Neighbourhood Plan must have regard to and comply with. It is an invented term. In contrast, the promotion of ‘sustainable development’ is at the heart of the planning system generally and the NPPF specifically. Indeed, the tripartite definition of sustainable development is to be applied in the context of both plan making and decision taking.

2.11 Problematically, the analysis within ‘Purton Planning for the Future’ is not contained to this supporting document; it is applied to and is infused within the draft Neighbourhood Development Plan document itself. The subsequent result is that its policies are misguided and contradictory, and fail to meet the basic conditions in number of respects, as explored within the subsequent sections of this consultation response.

2.12 Accordingly, and with regard to sustainable development, our advice to the Neighbourhood Plan Steering Group is to take account the “basic conditions”, as set out at paragraph 8(2) of Schedule 4B to the TCPA (1990), as well as the relevant sections of the PPG and the NPPF. We advise further that the Neighbourhood Development Plan is not vehicle for advancing invented terms / concepts that have no grounding in the planning system.

Housing

Population Forecasts and Housing Needs Projections

2.13 As with the concept of ‘sustainable development’, the draft Neighbourhood Plan seeks to go well beyond its remit, by attempting to project Purton’s future population growth and calculate a separate housing requirement for the Parish. This is seen in Annex 3 of the ‘Purton Planning for the Future’. The analysis starts from the subjective premise that the NPPF (at paragraph 159) is wrong, with regards to acknowledging and planning for patterns of migration within demographic change;

“The National Planning Policy Framework argues that sufficient housing should be provided to meet the needs and demand of the population, including that associated with migration and demographic change. Yet what we really see is that the policy, far from ensuring sufficient housing for local people, is actually enhancing an unbalanced inward migration, distorting community demographics.”

2.14 The implication of the above statement is that Purton should provide only for the housing needs of the village itself, without making provision for wider housing needs.
The relevant Housing Market Area (HMA), as currently defined in the Adopted Wiltshire Core Strategy, is the North and West Housing Market Area (NWHMA), which includes the north and west of Wiltshire. However, it is also the case that Purton is part of Swindon’s functional economic and housing market area (HMA).

2.15 The ‘local only’ stance of the Neighbourhood Plan, and its evidence base, appears markedly at odds with the position of both Swindon Borough Council and Wiltshire Council. These LPA’s have indeed jointly prepared a cross-boundary analysis of housing need, the; _Wiltshire and Swindon Strategic Housing Market Assessment (SHMA) (2017)_ as well as a _Functional Economic Market Area Assessment (FEMAA) (2017)_.

2.16 Although these jointly prepared Swindon Borough Council and Wiltshire Council documents have yet to be formally published, Swindon Borough Council has made public their key findings. Of particular relevance is the fact that the housing market areas considered do not align with the housing market areas identified in the Wiltshire Core Strategy. Instead, they cross the LPA boundary, so as to more faithfully reflect functional housing and economic markets;

“As reported to previous JSEC meetings, four HMAs are identified centred on Chippenham, Salisbury, Swindon and Trowbridge. Taken as a whole the four HMAs align to the Swindon and Wiltshire unitary authority areas. The individual HMAs do not align with the individual local authority boundaries or correspond to the HMAs planned for in the adopted Wiltshire Core Strategy and Swindon Local Plan.”

2.17 The report adds that;

“Effective plan-making would involve future joint working between Swindon Borough and Wiltshire Councils on the following strategic priorities which could have cross boundary implications:

- The quantum and spatial distribution of new homes and jobs within the Swindon HMA…. 

2.18 It is clear then that migration and economic relationships are an integral part of a market-based housing system. For the Neighbourhood Plan to reject this is to ignore the requirements of the NPPF, which at paragraph 47 indicates housing need is to be considered across HMAs. In other words, it is not logical to conceive of Purton as having its own separate housing market, when the market operates at a different scale.

2.19 Because of the position adopted, ‘Purton Planning for the Future’ takes the view that the Purton Neighbourhood Plan should not plan for or meaningfully acknowledge population growth associated with migration. For example, this document and draft Neighbourhood Plan exclude from its analysis (of projected population growth) any growth arising from Mouldon View or Ridgeway Farm, noting that these developments are to meet Swindon’s not Wiltshire’s housing need. In this regard, there is a clear confusion about what constitutes housing need (i.e. demand for homes), as driven by a range of factors.

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_2 Report to the Joint Strategic Economic Committee (SWLEP), Agenda Supplement 1 Agenda Item 10 (Feb 2017), para 3.2_

_3 Ibid, para 3.8._
across housing market areas, and housing supply, which refers to decisions about where to locate sites and the number of dwellings permitted (i.e. supply side considerations).

2.20 To explain this, I refer to the Mouldon View or Ridgeway Farm sites highlighted. In this respect, it is true that Wiltshire Council excludes these sites from its calculations of housing land supply. But this is simply a feature of the way housing supply is calculated and an outcome of the administrative boundaries of Wiltshire and Swindon (as respective LPAs), as well as a supply side choice about where housing should be located.

2.21 However, from the demand side, Purton is functionally part of a cross-boundary housing market area, which is driven by Swindon. This is seen in how Purton’s residents access Swindon for major services and employment opportunities. This position is now openly acknowledged by Wiltshire Council and Swindon Borough Council, through their progression of a joint SHMAs and FEMAA. From this perspective, sustainable sites adjacent to the settlement boundary of Purton could contribute to meeting housing need, as a supply side choice about where to locate housing growth.

2.22 A separate concern is that the modelling of population and household growth is simplistic and unlikely to be unreliable. The analysis, as set out in Purton Planning for the Future, derives from an interpretation of ONS data. Yet, as Purton Planning for the Future tacitly acknowledges at various junctures (between pages 12 and 16 of the report), is it not particularly practicable to disaggregate population trends to such a localised level, because ONS data is modelled for different spatial scales and becomes relatively more sparse at Lower Super Output Area and Middle Layer Super Output Level. Furthermore, there is no additional modelling or interpretation to account for other influences on household projections. For example, there is no attempt to consider the impacts of economic growth in the region / sub-region. Similarly, there is no consideration of how the delivery of affordable housing requires a proportionate uplift in overall housing provision, for reasons of viability (as is recognised in the SHMA).

2.23 It is acknowledged that Neighbourhood Plans need not be supported by as extensive an evidence base as Local Plans. Yet, even when allowing for its proportionate nature, the evidence put forward in support of the draft Purton Neighbourhood cannot be regarded as robust.

2.24 However, the main problem with the Purton Neighbourhood Plan is that, in progressing its own population projections and analysis of a localised housing requirement, it is not deriving its figures from the housing requirement set out in the strategic policies of the Wiltshire Core Strategy. We would refer the Neighbourhood Plan Steering Group back to paragraph 16 of the NPPF. This requires groups responsible for preparing such Plans to; “develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development”.

2.25 The current housing requirement for Wiltshire (2006-2026) is expressed in Core Policy 2 of the Core Strategy, as being a minimum of 42,000 dwellings to be delivered across the LPA and 24,740 units to be provided in the North and West Housing Market Area (NWHMA) specifically. This is based on the analysis set out in the Wiltshire Strategic Housing Market Assessment (SHMA) 2012. Core Strategy Core Policy 19 apportions
1,455 dwellings to the Royal Wootton Bassett and Cricklade Community Area, within which Purton is located, with the majority of this growth being apportioned to Royal Wotton Bassett Town and the remaining 358 to be located within the wider community area.

2.26 As such, the starting point for a Neighbourhood Plan must be the identification of objectively assessed housing needs by the Local Planning Authority and it is not for a Neighbourhood Plan to determine the level of housing requirement. Indeed, as noted, Wiltshire Council and Swindon Borough Council are preparing a joint SHMA, and it is this document that will further update the relevant OAN figure. It is at this current time unknown what the spatial distribution of this updated requirement will be. However, given Purton’s role as a ‘Large Village’ it is likely that an increased proportion of housing growth (above that predicted in the document Purton Planning for the Future) will be required before 2026. Indeed, it is notable that Wiltshire Council is currently consulting on its pre-submission draft Site Allocations Plan and is committed to an early review of its Core Strategy.

2.27 In attempting to independently model future population and household growth (and by explicitly applying this analysis within the draft Plan), the Neighbourhood Plan (which once made will become part of the Development Plan) is effectively seeking to extend beyond its remit. This occurs because the Plan seeks to circumvent the spatial and delivery strategy as set out in the Wiltshire Core Strategy at Core Policies 1 and 2, as well as the Core Strategy’s strategic polices regarding the requirement for, and supply of, housing. Likewise, the Neighbourhood Plan cannot ignore the direction of travel as denoted by the joint Wiltshire - Swindon SHMA and FEMAA.

2.28 We draw your attention to the Planning Practice Guidance (PPG) 009 Reference ID: 41-009-20160211;

“Although a draft neighbourhood plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.”

2.29 Furthermore, there has to be robust evidence to support particular policies, the PPG at Paragraph 040 ref 41-040-20160211 states:

“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order. A local planning authority should share relevant evidence, including that gathered to support its own plan making, with a qualifying body.

…… Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these polices should take account of latest and up-to-date evidence of housing need. In
particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making"

2.30 Significantly, the flawed analysis described above is not restricted to the ‘Purton Planning for the Future’ supporting document. Rather, it is infused within the policies the draft Plan seeks to advance. Indeed, the supporting text to the draft housing policies explicitly refers back to the Purton Planning for the Future document, stating (for example) that;

“Purton – Planning for the Future” reviewed the potential sites within this existing settlement boundary and determined that there is potentially sufficient infill sites, as preferred for development by the WCS for large villages, to meet the potential local housing needs for the village until the end of this plan period 2026. Whilst these infill sites have the potential to meet a substantial part of Purton’s future housing need for 94 houses

2.31 As a result (and as is more fully illustrated below) the draft Neighbourhood Plan does not conform to the strategic policies of the Wiltshire Core Strategy, nor does it meet the basic conditions. We invite the Neighbourhood Plan Steering Group to revisit the relevant sections of the PPG at, paragraphs; 009 Reference ID: 41-009-20160211; Paragraph: 040 Reference ID: 41-040-20160211; Paragraph: 044 Reference ID: 41-044-20160519 and Paragraph: 069 Reference ID: 41-069-20140306. Each of these paragraphs refers to the central importance of up-to-date housing needs evidence and the strict requirement not to constrain Local Plan and national policy objectives.

Housing Policies

Purton Policy 12: Development Principles

In-Settlement Sites

2.32 Draft Purton Policy 12 identifies six sites within the Purton Settlement Boundary that are indicated as having the potential to deliver approximately 75 dwellings. These are;

- Site 66 - Derelict Cottage Farm (College Farm) – 11 dwellings.
- Site 91 - Land at Northcote – 15 dwellings.
- Site 3316 - three sites in Dogridge - 7 dwellings (but across separate sites).
- Site 3318 - Hooks Hill – 14 dwellings (but would result in the loss of 25).
- Land at North View – 12 dwellings (but not promoted in the SHLAA).
- Former Youth Centre (with the adjoining garages and green space) – 7 dwellings (but not promoted in the SHLAA).

4 94 dwellings being the housing requirement (to 2026) identified from the analysis in Purton Planning for the Future 2017.
2.33 The draft policy then goes on to state that these sites should be developed before land outside of the existing settlement boundary. There are a number of concerns regarding this strategy.

2.34 Firstly, the quantum of dwellings to be delivered on the sites identified is very ambiguous. Draft Purton Policy 12 suggests that approximately 75 dwellings will be delivered. However, a review of the assessment of these sites (as set out in Annex 8 of Purton Planning for the Future) suggests that only 66 can be delivered. Furthermore, it is noted that the site at Hooks Hill already includes 25 existing dwellings, which would need to be demolished to accommodate a replacement scheme of 14 dwellings. Purton Planning for the Future acknowledges this stating; “Any development at Hooks Hill would replace the existing building and thus is unlikely to provide any net increase in the total number of dwellings.” Indeed, it is likely that the development of that site will result in a net loss of dwellings.

2.35 Secondly, the draft policy presumes that all of the in-settlement sites identified will come forward for development and be delivered. However, it is unreasonable to assume that every site identified as having potential will actually come forward for development. Indeed, even if planning applications are submitted in relation to these sites, and permission is granted, it is reasonable to assume that a percentage of these net permissions will ‘lapse’. Wiltshire Council, when it assesses of its land supply position, assumes a lapse rate of 13.4 percent for all small sites. This is based on observed long-term trends apparent through the monitoring of completions data. Furthermore, it is notable that neither land at North View or the Former Youth Centre was promoted in the 2015 SHLAA Call for Sites consultation. In the absence of proper evidence (required by the PPG at Paragraph 040 reference 41-040-20160211), these sites they cannot be considered realistically deliverable.

2.36 The issue described above is exacerbated by the linking of draft Purton Policy 12 to draft Purton Policy 13, ‘Development outside of the settlement boundary’. This linkage is through the criteria (set out in Policy 12) that all in-settlement sites should come forward for development before land outside of the settlement boundary. This is problematic, because there is no guarantee that all of the in-settlement sites will actually be developed and, as such, it is possible (indeed, likely) that draft Purton Policy 13 will never be activated. It is therefore not at all clear how a decision maker could be expected to confidently apply the policy in relation to the determination of planning applications and thus the policy cannot be said to meet the requirements of the PPG at paragraph 041 Reference ID: 41-041-20140306.

2.37 Furthermore, a broader effect of the restrictive caveat as currently applied to draft Purton Policy 12, is to undermine the internal coherence of the draft Neighbourhood Plan’s approach housing development. This is to say that the draft Plan already acknowledges that not all housing needs identified can be met on small sites within the existing settlement boundary. Similarly, the Plan also acknowledges that the development of larger sites, outside of the settlement boundary, is necessary to deliver affordable housing and other forms of accommodation, which the Plan identifies as

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5 Purton Planning for the Future, p. 29
6 Please, see for example, the Wiltshire Housing Land Supply Statement Update, March 2017.
being required in order to meet local needs. Yet, through this draft policy, the Plan also seeks to prevent these new homes being built.

2.38 Because of the issues identified above, draft Purton Policy 12 also conflicts with Core Policy 2 of the Wiltshire Core Strategy. This strategic policy allows for development outside of settlement boundaries in a number of circumstances. For example, Core Policy 44 allows for rural exception schemes to deliver affordable housing, but recognising that a component of market housing is required to make such schemes financially viable. Similarly, Core Policy 46 allows for the development of specialist accommodation for vulnerable and older people, again outside of settlement boundaries.

2.39 Thirdly, in identifying sites within the settlement boundary, draft Purton Policy 12 has effectively only identified sites that would already be regarded as having the potential for windfall development, in accordance with the presumption in favour of sustainable development (as set out in the NPPF) and in accordance within Core Policy 2 of the Wiltshire Core Strategy. Indeed, Wiltshire Council's housing trajectories already assume that a quantum of small scale developments (within settlement boundaries) will come forward each year. In this respect, Purton Policy 12 does not have a clear purpose.

2.40 Draft Purton Policy 12 therefore largely duplicates an existing strategic policy in the Core Strategy (Core Policy 2), which already applies the presumption in favour of sustainable development within defined settlement boundaries. However, the draft policy places additional burdens on developers who may bring forward the identified in-settlement sites (e.g. by requiring specialist accommodation types). In this respect, it actually makes it less likely that these in-settlement sites will be brought forward for development, than if the existing Core Policy 2 was applied in isolation. As we explain in greater depth below, this cannot be regarded as a robust approach.

Responding to Local Needs

2.41 Draft Purton Policy 12 sets out that the small in-settlement sites identified shall be “affordable housing, houses for first-time buyers, smaller properties for those who wish to down-size or properties that are suited to older people (including bungalows) in accordance with Wiltshire Core Strategy Core Policies 43 and 45.” adding that “Land at the former youth centre is particularly suited to providing low cost homes”.

2.42 There are a number of concerns regarding how this would work in practice;

2.43 Firstly, it is worrying that the draft policy expects small sites to “respond to the housing needs of Purton” whilst the supporting text to the same policy recognises that this is not a realistic proposition;

“...small infill sites generally do not yield the size and type of housing such as affordable housing, properties for first time buyers, smaller properties for those wishing to downsize and properties suitable for older people including bungalows that are needed in Purton.”

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2.44 Indeed, the draft policy ignores that fact that small scale developments (of 10 or fewer dwellings) are generally not required to provide affordable housing (and would not be at Purton). This is in accordance with the PPG, as updated in June 2016, with the revised guidance giving legal effect to the Written Ministerial Statement of 28 November 2014. As such, the draft policy is incorrect to anticipate that affordable units will be provided at the sites at Dogridge or the Former Youth Centre.

2.45 Furthermore, it is paradoxical that the draft policy seeks to deliver “properties that are suited to older people” but also supports the redevelopment of a site at Hooks Hill which already contains 25 “studio size retirement apartments / sheltered housing”. These will potentially be lost and replaced by a wider mix of 14 dwellings.

2.46 The points described above serve to illustrate the shortcomings of preparing a Neighbourhood Plan, which seeks to prioritise development within the settlement boundary, rather than facilitating development which might most effectively meet the identified needs of different communities / demographic groups. In this respect, the draft Plan fails to promote the social dimension of sustainable development, as set out within the NPPF. Because of this it is doubtful that the making of the Plan would contribute to the achievement of sustainable development or comply with the strategic policies of the Wiltshire Core Strategy, as is required to meet the Basic Conditions.

**Viability**

2.47 In addition to the contradictions described, draft Purton Policy 12 (and indeed the Neighbourhood Plan in general) infers a worrying lack of understanding with respect to the viability and thus deliverability. Indeed, to the extent that viability is considered at all, it is done so in terms which flatly contradict national policies. In this respect, Purton Planning for the Future (2017) states that;

“The difficulty that arises is how to encourage a house builder to build a small number of smaller houses on a finite piece of land which may not maximise the potential return. An argument yet to be tested is that given a choice that a certain parcel of land could be built upon, yet with only smaller houses, a builder may consider that 80% of something may be better than 100% of nothing.

An alternative would be to negotiate a certain number of smaller houses and one or two larger ones. This would be greater than the local need and may require perhaps five houses per year (four smaller ones and one larger one).”

2.48 We advise (as per the PPG, at Paragraph: 005 Reference ID: 10-005-20140306) that Neighbourhood Plan’s “should be based on a clear and deliverable vision of the area. Viability assessment should be considered as a tool that can assist with the development of plans and plan policies.”

2.49 Similarly, we refer to the NPPF at paragraph 173;

“Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and

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8 Purton Planning for the Future, 2017, p. 73.
the scale of development identified in the plan should not be subject to such a scale of
obligations and policy burdens that their ability to be developed viably is threatened. To
ensure viability, the costs of any requirements likely to be applied to development, such
as requirements for affordable housing, standards, infrastructure contributions or other
requirements should, when taking account of the normal cost of development and
mitigation, provide competitive returns to a willing land owner and willing developer to
enable the development to be deliverable."
The document in itself does not provide such credible evidence, because it simply cross-references to supporting documents; notably the Purton Planning for the Future (2017) report and the Purton Parish Plan (2014). The question is then whether these documents actually provide any credible evidence either and this is explored below.

2.56 The Purton Planning for the Future report provides some commentary at Annex 4 in relation to ‘Types of Houses’. The report (at page 17) anecdotally states that;

“Whilst open market housing is just that (that is, anyone can buy, whoever they are, and wherever they are from) it does tend to have disenfranchised those from within the village. This is because the houses have been far too large and therefore of a price range outside that which is affordable by first-time local buyers, and too large for those (usually older residents) already in the village seeking to downsize, and liquidate some of their housing asset.”

2.57 The document then provides a breakdown of properties by Council tax band noting that only 20 percent of dwellings are in lower tax bands A and B. Likewise there is some analysis of the types of houses (by bedroom number) built since the year 2000, which suggests that 3 bedroom dwellings are the most commonly built format. However, neither the reference to council tax banding nor completions actually provides any evidence as to what the local need is currently or is projected to be throughout the Plan period. Therefore the Purton Planning for the Future document does not actually provide any useful analysis in respect of a locally relevant housing mix and cannot be considered as credible evidence for the purposed of Core Strategy Policy 45.

2.58 The Purton Parish Plan is also cited in the draft Neighbourhood Plan (and Purton Planning for the Future, at page 17) as providing such evidence. However, all the Parish Plan does (in respect of its commentary of housing) is provide a snapshot of the (then) existing housing and demographic mix of Purton, and illustrate the results of a local survey. The results of this survey indicated that respondents (i.e. local residents) favoured a varied mix of dwelling types, with the most popular preference being for the conversion of existing buildings. Other categories included ‘smaller groups of less than 10’. What this indicates it that the survey was not actually seeking to assess local housing needs. Rather, the survey sought to ascertain generally what sort of developments respondents would like to see. Accordingly the Parish Plan cannot be regarded as ‘credible source of evidence’, for the purposes of satisfying Core Policy 45, for the simple reason that it does not actually present any objective analysis regarding local housing need.

2.59 We note that a Local Housing Needs Survey was undertaken in 2012, as facilitated by Wiltshire Council. This document identifies a requirement for more affordable homes and a mixture of dwelling types including 1 bedroom flats and 2 and 3 bedroom dwellings. However, it is highly relevant that the survey was targeted at individuals and households whose housing needs were unlikely to have been satisfactorily met. Indeed, it is highly notable that 85.2 percent of respondents to the survey did not own property or declared zero or negative equity in their homes. Likewise the majority of respondents reported low household incomes.

2.60 The identified bias in the survey respondent type is relevant, because the majority of households in Purton are in fact owner occupied, but this group is wholly under-
represented in the survey results. Because of this it is incorrect to infer that the Local Housing Needs Survey is reflective of the wider housing needs of Purton. Furthermore, it has to be remembered that a Local Housing Needs Survey (by definition) does not account for migration, which is a natural feature of a functional housing market area, nor does it provide a detailed projection of future trends. In other words, although the survey is correct to identify a need for affordable housing in Purton, it provides no accurate information regarding the need for larger dwellings. In this context, Core Policy 45 recognises that Local Housing Needs Surveys can provide credible evidence specifically in relation to affordable housing need, the Policy does not recognise such surveys as provided credible evidence regarding the general housing need or the general mix dwelling types / sizes required.

2.61 The subsequent implication is that the references to housing mix in Purton Policy 12 are not supported by credible evidence and therefore cannot conform to the requirements of Core Policy 45 of the Wiltshire Core Strategy.

Purton Policy 13

2.62 In view of the concerns regarding Purton Policy 12, it is clear that the draft Neighbourhood Plan has no realistic prospect of meeting the housing needs within the settlement boundary (not least because it makes it harder to deliver development on the in-settlement sites identified). There is some acknowledgement of this at Section 3.5 of the draft Neighbourhood Plan (at page 30). Accordingly, the draft Neighbourhood Plan identifies a site adjoining Restrop Road, which includes all of SHLAA site ref. 470 and part of site ref. 440. This site is illustrated at Map 12 in the draft Neighbourhood Plan (as extracted below).

Map 12 - Area of Search
2.63 The draft policy states that;

“Land indicated on Map 12 is identified as an area of search for the provision of up to 40 smaller homes including affordable housing, houses for first-time buyers, smaller properties for those who wish to downsize and also properties suited to older persons including bungalows.

- Proposed development should:

- respect the character and setting of heritage assets in the vicinity of the site including the Grade II* Restrop House and the Scheduled Monument at Ringsbury Camp

- provide strategic landscaping to the western and southern edges of the site which retains and reinforces existing hedges and trees

- create a green area adjacent to the Restrop Road so that development is set back from the road

- not prohibit a potential future road connection to the remainder of the site or road connection to the rear of the Schools and

- protect and preserve biodiversity on the site.

- mitigate the impact of traffic with measures to reduce the speed of traffic on Restrop Road where it enters the villages to calm traffic and improve road safety.”

2.64 We have a number of concerns with this draft policy. Firstly, the title of the policy is misleading, as it infers that it is applicable to all proposed developments outside of the settlement boundary, when in fact it concerns the possible development of a specific site. Similarly, the draft policy is ambiguous as to its intention. This is to say that it is not at all clear if the policy proposes to allocate a site for development or if it simply identifies a future area of search. As such, it is not apparent how this policy could be used to determine planning applications with any certainty. In turn, there exists a subsequent conflict with Core Policy 2 (Delivery Strategy) of the Core Strategy.

2.65 Secondly, the draft policy has already been surpassed by events. This is to say that a full planning application (Ref. 16/10513/FUL) has already been submitted (in November 2016) on part of the site. This application concerns the western part of the land described in draft Purton Policy 13 (and shown in Map 12). The application illustrates the flawed nature of the strategy (as pursued in draft Purton Policy 12, but which links to draft Purton Policy 13) of resisting development outside of the settlement boundary, until all sites within the settlement boundary are developed. Such a sweepingly restrictive policy unnecessarily constrains housing delivery, contradicts the PPG (at Paragraph: 001 Reference ID: 50-001-20160519) and demonstrably will not work in practice.

2.66 Furthermore, the live planning application on the site illustrates the extent to which draft Purton Policy 13 (and indeed Purton Policy 12) has little regard to matters of viability and the commercial nature of development economics. This is to say that the aspiration of the draft policy i.e. “the provision of up to 40 smaller homes including affordable
housing, houses for first-time buyers, smaller properties for those who wish to downsize and also properties suited to older persons including bungalows" is not something that which will realistically be delivered. The consultation response provided by the Neighbourhood Plan Steering Group (in relation to this planning application\textsuperscript{10}) illustrates the contradiction between the aspirations of draft Purton Policy 12 and market-led development in the real world. Extracts from the consultation comments are noted below;

2.67 “Examination of the Master Plan and the Housing Styles reveal that all but one, two-bedroom house includes a study on the first floor next to the bedrooms. It is disingenuous to claim a room as a study when clearly it is, just based on the location, intended as a bedroom. The applicant appears to be claiming these bedrooms as “studies” so they can obtain a higher density of overall dwellings. The “3rd bedroom” will mean potentially more people and therefore cars which will increase the traffic, and will need more garage/parking space;”

This application for 41 houses on a 1.42 ha site, representing a high density development of 29 dwellings per hectare more in keeping with an urban environment that that of a rural village and well above the standard that Wiltshire Council uses…

2.68 The application adds no functional value to the village (other than more houses) cutting off further access as required in the Neighbourhood Plan. The Design and Access Statement claims the proposal “reflects the need and aspirations of the local community” and cites the draft Neighbourhood Plan on the site location though ignores the village’s aspiration not just for affordable housing, properties for first time buyers, smaller properties for those wishing to downsize but also properties suitable for older people and which include bungalows (which the developers have been told on at least a couple of occasions would be advantageous to any planning application). These local needs are clearly identified in both the Parish Plan and Policy 12 in Purton’s Draft Neighbourhood Plan. Therefore the application cannot claim it meets the aspirations of the local community at all; and finally…\textsuperscript{11}

2.69 Whilst we acknowledge the frustration of the Neighbourhood Plan Steering Group, the comments also serve to illustrate a lack of understanding of development economics. For example, the objection to the density of development disregards that fact that increased densities can facilitate the provision of more market dwellings, which in-turn enhances the viability of affordable housing provision. In contrast, draft Purton Policy 13 seeks a relatively low density of development, which likely impedes the possibility of delivering the affordable, smaller and specialist dwellings which the policy also seeks.

2.70 Likewise, Purton Policy 13 also suffers from the shortcomings applicable to Purton Policy 12, with respect to the relationship with Core Policies 43 and 45 of the Wiltshire Core Strategy. This is to say that there is a conflict regarding the prioritisation of either affordable housing versus other types of specialist dwelling, as well as the housing mix sought, within the overall context of achieving a financially viable development. In this respect, the policy is not drafted with sufficient clarity to be applied by a decision-maker.

\textsuperscript{10} Consultation response provided care of Purton Parish Council. Dated 03 December 2016.
2.71 We would urge the Steering Group to revisit this policy (and the draft Neighbourhood Plan’s approach to housing more generally) and to think more clearly about the market-led nature of development. For example, we would ask why, in a relatively high land-value location such as Purton, would any developer seek to purchase a plot of land (at great expense) and deliver a site of consisting solely or mostly low-yield dwellings? Likewise, why would a developer progress a site (in strict accordance with draft Purton Policy 13), when the marginal profit is so diminished relative to the risks associated with financing a housing development?

2.72 Conversely, we invite the Steering Group to reflect on why any landowner would accept correspondingly low offers for their land (as required to facilitate the delivery of low-yield dwellings), when housebuilders (or similar interests) can offer better values for a predominantly market housing development? In this context, might it make more sense for a landowner to delay the development of their interests until a more favourable policy context arises?

2.73 The overarching point is that a meaningful quantum of affordable housing, accommodation for older people, starter homes, etc., will only be delivered where this is facilitated by significant volumes of larger market dwellings, in order to render a scheme viable. If the Neighbourhood Plan is serious about delivering dwellings suitable for a wider cross-section of the community, then it needs to allocate more sites for housing development to enable this.

2.74 Overall, and as presently worded, draft Purton Policy 13 cannot be said to be in general conformity with the basic conditions. The policy does not contribute to sustainable development, because it is burdensome and creates viability issues, which means it is incapable of delivering its stated objectives of delivering a range of types of accommodation to meet local needs. The policy is ambiguously worded, does not actually allocate land and conflicts with strategic policies of the Wiltshire Core Strategy. We add further that the approach to site selection (which informed both draft Purton Policies 12 and 13) is deeply flawed and not directed at promoting sustainable development. This is explored below.

**Site Selection**

*Metho**

2.75 We have significant concerns regarding the approach the draft Neighbourhood Plan has taken towards the consideration and evaluation of sites which could potentially be allocated for development.

2.76 The underlying concern is that the draft Neighbourhood Plan does not seek to further sustainable development, as defined in the NPPF. Rather, it seeks to advance the invented concept of ‘resilience’ and applies this term as the basis for its consideration of a site’s suitability for development.

2.77 It is notable that the methodology employed finds that none of the sites considered actually meet the criteria of resilience as set out at Table 7 of Purton Planning for the Future (2017). We question then on what basis the Neighbourhood Plan seeks to facilitate the development of any site in Purton, given that the ‘resilience’ criteria applied infers that this should not be the case.
In addition, with respect the criteria employed to evaluate sites, we would make a number of specific comments. For ease of reference these are set out in tabulated form below;

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weighting</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within Settlement Boundary</td>
<td>3</td>
<td>Recommend deletion. Why does a site’s location within the settlement boundary supposedly make it more sustainable or resilient, particularly when the majority of the other criteria employed are distance or impact based? A settlement boundary is simply a line on a map.</td>
</tr>
<tr>
<td>Distance to shops</td>
<td>3</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to St Mary Infants and Junior School</td>
<td>2</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to Bradon Forest Secondary school</td>
<td>2</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to bus stop</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to surgery</td>
<td>3</td>
<td>This is weighted too highly, given use of such facilities is (for most people) relatively infrequent. The weighting should be decreased to 2.</td>
</tr>
<tr>
<td>Distance to dentist</td>
<td>3</td>
<td>This is weighted too highly, given use of such facilities is (for most people) infrequent. The weighting should be decreased to 2.</td>
</tr>
<tr>
<td>Distance to chapel</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to church</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to Village Hall &amp; Parish Council</td>
<td>2</td>
<td>This is weighted too highly, given the limited frequency with which the majority of residents will visit the Village Hall or Parish Council offices. The weighting should be decreased to 1.</td>
</tr>
<tr>
<td>Distance to the Silver Threads</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to vet</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to library</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to The Village Centre (Red House, etc.)</td>
<td>2</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to The Angel</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to The Royal George</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Proximity to allotments</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Potential flooding</td>
<td>3</td>
<td>Agree.</td>
</tr>
<tr>
<td>Potential to impact view</td>
<td>3</td>
<td>Specific reference should be made to an impact being detrimental. Affecting a view (i.e. from a dwelling) does not mean that it is harmful and loss of a view is not a material consideration.</td>
</tr>
</tbody>
</table>
Potential to affect character or setting of any listed building or heritage assets 3

This should be revised such that it refers to the potential to adversely affect the character or setting of such heritage assets.

Good access 3

Agree.

Within, or in close proximity to, a designated conservation site (e.g. SSSI, CWS …) 3

This should be amended, as proximity to a designated conservation site does not mean that the biodiversity value of that site would be adversely affected by nearby development.

Known, or likely, to have badgers, great-crested newts, bats or deer 3

Recommend deletion of this criteria as this can only be effectively assessed with on-site surveys, as part of a planning application.

Potential added value (reduce traffic congestion, parking on roads …) 3

Recommend deletion of this criterion, as it is highly subjective when compared to most other criteria which are distance-based or can be evaluated in a relatively objective manner.

Comments on Site Evaluation Criteria

To elaborate further on the table above, we would first clarify that considerations of a site’s sustainably should be blind to its location within or outside of a settlement boundary. A settlement boundary is not a measure of sustainability, but rather a line on a map. To treat it as a constraint is to disregard the requirement to promote sustainable development, as necessary under Section 39 of the Planning and Compulsory Purchase Act (2004).

With respect to access to services, consideration should be given to the frequency with which people will likely access them. Most residents will access local shops on a relatively frequent basis. However, the majority will engage the services of a doctor or dentist relatively infrequently. The same could also be said regarding the criteria relating to proximity to the Parish Council offices and Village Hall, as most residents will visit these occasionally, if at all.

In considering the ecology related criteria, we agree that if a site falls within such a designation then this likely constitutes a constraint. However, we note that proximity to a local nature designation does not actually mean that development would be detrimental to it. Likewise, it is inconsistent to evaluate a site’s suitability for allocation on the basis of a site being ‘known, or likely, to have badgers, great-crested newts, bats or deer’. The presence of such species does not automatically preclude development and development proposals often actually facilitate biodiversity enhancements as part of a comprehensive scheme, though the provision of green infrastructure (noting also, and for example, that agricultural fields are typically lacking in bio-diversity). Likewise the occasional presence of such species does not infer that a site is used for breeding or integral to foraging behaviour. The underlying point is that ecological constraints can only be assessed through on-site surveys (conducted by professionals), which typically take place before a planning application is being submitted.

As such, this cannot be considered to constitute a robust or appropriate criterion for assessment. Indeed, it potentially restricts opportunity for bio-diversity enhancement, which might be achieved through the development of particular sites. In this respect, we
refer back to the three dimensions of sustainable development specified in the NPPF, noting that the environment role requires planning to contribute to “protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity”. Accordingly it should be deleted.

2.83 Finally, we would remark that the invented notion of ‘added value’ is entirely subjective and nebulous. It does not relate to any measurable feature, nor is it at all transparent. From the table above it appears to be something to do with reducing traffic congestion or parking on roads. But surely added value includes the provision of affordable housing, new public open space, etc.? The category is very poorly defined, ambiguous and it is not clear how it promotes sustainable development. It should be deleted.

Evaluation of Land North of Pavenhill, Purton

2.84 Our client has a particular interest in this site. As such, we provide a critical evaluation of the Neighbourhood Plan’s assessment of its suitability for development.

2.85 Firstly, we draw the Steering Group’s attention to the evaluation within the Wiltshire Strategic Housing Land Availability Assessment (SHLAA) 2012. This document identifies the site as being potentially suitable for residential development. If the site was unsustainable it would not have been viewed favourably.

2.86 We also make the comment that the Neighbourhood Plan Steering Group is aware of the fact that Planning Application Ref. 16/03625/FUL was supported by a number of detailed on-site ecological surveys, conducted by independent professional ecologists\textsuperscript{12}, which confirm that the site is not constrained by the presence of protected species. In view of this information (which has been considered and accepted by Wiltshire Council’s Biodiversity Officers) it is disingenuous for Purton Planning for the Future to score the site poorly on the basis that it is “known, or likely, to have badgers, great-crested newts, bats or deer”.

2.87 Further, the Neighbourhood Plan Steering Group is also aware of the fact that safe vehicular and pedestrian accesses can be achieved through the development of the site. This was confirmed by Wiltshire Council in their evaluation of the aforementioned planning application.

2.88 In addition, we provide overleaf a revised assessment of the site’s suitability for development. This is based on an adapted version of the methodology employed in Purton Planning for the Future.

2.89 The output score from this revised assessment is 4.24, which pushes the site into the category ‘marginal’, which means that it is suitable for allocation in accordance with the rationale of the draft Plan, as elaborated in Purton Planning for the Future (bearing in mind that none of the sites assessed in that document are categorised as falling within the higher ‘resilient’ category).

\textsuperscript{12} Based on Dr Richard Pagett’s comments in relation to this application.
<table>
<thead>
<tr>
<th>Criteria</th>
<th>Draft NP Initial Score</th>
<th>Revised Score</th>
<th>Revised Weighting</th>
<th>Overall Revised Score</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within Settlement Boundary</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Deleted</td>
<td></td>
</tr>
<tr>
<td>Distance to shops</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>The development of Pavenhill would provide a pedestrian connection to the public footpath at the eastern extent of the site. This footpath would be improved as part of the development. This is the route which would be used by future residents to access local shops. The distance is therefore less than 400m.</td>
</tr>
<tr>
<td>Distance to St Mary Infants and Junior School</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to Bradon Forest Secondary School</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to bus stop</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>6</td>
<td>We note the nearest bus stop to Pavenhill is Restrop View (approximately 150 meters from the site), so we increase the proximity-based score to 3.</td>
</tr>
<tr>
<td>Distance to surgery</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>As noted, the weight applied to this category has been reduced to 2.</td>
</tr>
<tr>
<td>Distance to dentist</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>As noted, the weight applied to this category has been reduced to 2.</td>
</tr>
<tr>
<td>Distance to chapel</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to church</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Category</td>
<td>Weight</td>
<td>Weight</td>
<td>Weight</td>
<td>Weight</td>
<td>Comments</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Distance to Village Hall &amp; Parish Council</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>As noted, the weight applied to this category has been reduced to 1.</td>
</tr>
<tr>
<td>Distance to the Silver Threads</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to vet</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to Library</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to The Village Centre (Red House, etc.)</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to The Angel</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>Agree.</td>
</tr>
<tr>
<td>Distance to The Royal George</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>Agree.</td>
</tr>
<tr>
<td>Proximity to allotments</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>Agree.</td>
</tr>
<tr>
<td>Potential flooding</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>Agree.</td>
</tr>
<tr>
<td>Potential to impact view</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>Agree – subject to suggested rewording of the criteria.</td>
</tr>
<tr>
<td>Potential to affect character or setting of any listed building or heritage assets</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>Agree – subject to suggested rewording of the criteria.</td>
</tr>
<tr>
<td>Light</td>
<td>Score 1</td>
<td>Score 2</td>
<td>Score 3</td>
<td>Score 4</td>
<td>Notes</td>
</tr>
<tr>
<td>-------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>-------</td>
</tr>
<tr>
<td>Good access</td>
<td>1</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>Safe vehicular and pedestrian accesses are entirely achievable, as has been confirmed by Wiltshire County Council in their assessment of planning application Ref. 16/03625/FUL. Accordingly the score has been revised upward to 3.</td>
</tr>
<tr>
<td>Within, or in close proximity to, a designated conservation site (e.g. SSSI, CWS ...)</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>Agree – subject to suggested rewording of the criteria.</td>
</tr>
<tr>
<td>Known, or likely, to have badgers, great-crested newts, bats or deer</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td>Deleted.</td>
</tr>
<tr>
<td>Potential added value (reduce traffic congestion, parking on roads ...)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td>Deleted.</td>
</tr>
<tr>
<td>Total Score and Average</td>
<td>89</td>
<td></td>
<td></td>
<td></td>
<td>Revised Average Score 4.24 (89 / 21)</td>
</tr>
</tbody>
</table>
Sustainable Development on land at Pavenhill, Purton

2.90 As set out below, it is considered that the proposals on land at Pavenhill represent sustainable development when tested against the three dimensions of sustainable development, as identified by the Framework at Paragraph 7 and summarised below:

**Economic**
- House building is recognised as an important driver of economic growth.
- The proposals will provide for the creation of direct and indirect jobs associated with construction.
- In the longer term, the level of disposable income in the local area will also be increased with some commensurate growth in the demand for goods and services.
- As a consequence of the proposed development, the LPA will qualify for a substantial New Homes Bonus payment, facilitating the provision of services.

**Social**
- The development of the site will bring benefits in terms of additional housing to meet overall housing requirement.
- The site will also deliver a significant amount of affordable housing (40%) to meet the needs of present and future generations.
- New facilities and infrastructure will be provided in the local area through the CIL payment and S106 contributions which will have social benefits for the local rural community.
- The development of additional housing in Purton will help to sustain the vitality of the settlement and the viability of existing services and facilities.

**Environmental**
- The site is within walking and cycling distance of key local facilities, and is accessible (via public transport) to other settlements which have a more extensive range of facilities and services.
- The development of the site would represent an appropriate addition to Purton. The site is very well contained by vegetation and existing development, and has a close relationship with the existing settlement edge.
- The development of land at Pavenhill could include the creation of new areas of landscape and open space including new habitats that will provide for significant biodiversity benefits.

2.91 Accordingly, the proposal will result in a sustainable development that achieves the three sustainability dimensions set out in the NPPF. There are no adverse impacts of the development that would significantly and demonstrably outweigh the substantial benefits of the proposal.
3. Conclusions

Conformity with Basic Conditions

3.1 Having set out the above specific policy objections, we therefore assess the Plan against the “basic conditions” (see paragraph 8(2) of Schedule 4B to the TCPA 1990).

8(2)(d) The making of the neighbourhood plan contributes to the achievement of sustainable development

3.2 A draft Neighbourhood Plan only meets the basic conditions if, inter alia, “the making of the Plan contributes to the achievement of sustainable development”, see paragraph 8(2) (d) of Schedule 4B TCPA 1990.

3.3 As explained, the presumption in favour of sustainable development is the “golden thread” that runs through the whole of national planning policy. This is manifested particularly in paragraph 14 of the NPPF and paragraph 16 of the Framework make its absolutely clear that;

“The application of the presumption [in favour of sustainable development] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should…develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development.”

3.4 In contrast, the draft Neighbourhood Plan, via its supporting evidence base report, Purton Planning for the Future (2017) denounces the concept of sustainable development. This is a somewhat discouraging starting point for the draft Plan. Indeed, in view of the absolute centrality of this concept to the planning system, this is an untenable and misguided approach.

3.5 That the key supporting document to the draft Plan explicitly disregards the key notion of sustainable development and associated statutory requirement to promote it, has a profound and undermining influence of the rest of the Plan. This occurs because it provides a ‘green-light’ to depart for other key aspects of national policy and guidance, and encourages draft policies that contradict the strategic policies of the adopted Wiltshire Core Strategy.

3.6 Instead of promoting sustainable development, the Neighbourhood Plan seeks to advance an invented concept, ‘resilience’. This leads it to ignore (for example) the role of viability as a key element within the dimensions of sustainable development as advanced through the NPPF. This results in for formulation of draft policies which are contradictory, burdensome and which will act to hinder development, undermining (for example) the draft Plan’s aspirations to deliver affordable housing and other forms of specialist accommodation. In this respect the Plan cannot be said to contribute effectively to the promotion of the social element of sustainable development.

3.7 Another concern is that the criteria used to evaluate potential sites for development disregards the requirement to contribute to the environmental dimension of sustainable
development. For example, a criterion in the site assessment methodology attaches a lower score to sites outside of the settlement boundary, but this is not a proxy of either sustainability or indeed ‘resilience’ (being the alternative concept that the draft Neighbourhood Plan seeks to further). Similarly, the methodology attaches a lower score to sites which are “known, or likely, to have badgers, great-crested newts, bats or deer” (based on supposed local knowledge) and at the same time indicates that such constraints can only be evaluated with additional surveys prepared in accordance with “appropriate protocols”. Furthermore, the draft Plan and evidence base ignores the potential to secure bio-diversity enhancements from developments.

3.8 A related but separate point is that it is not clear if the draft Neighbourhood Plan is actually proposing to make any housing allocations. Purton Policy 12 identifies a number of sites within the Settlement Boundary, which could already be developed in accordance with Core Policies 1 and 2 of the Wiltshire Core Strategy. So these cannot be regarded as allocations. Indeed, in seeking to apply additional localised requirements (regarding housing mix and affordable housing, which contradict local and national policies), the draft Policy makes it less likely that sustainable development within the Purton Settlement Boundary will take place, when compared to the current policy context (i.e. with applications for development within the settlement boundary be determined under Core Policy 2 of the Core Strategy). This cannot be regarded as furthering the achievement of sustainable development.

3.9 Similarly, the title of Purton Policy 13 appears to describe a general development management policy. However, the text to it identifies a specific ‘area of search’ outside of the settlement boundary, but it is not clear whether it actually allocates the land for development. There is a marked ambiguity in the wording of the draft policies, which contradicts the guidance set out in the PPG (at paragraph 041 Reference ID: 41-041-20140306) and which further means it is difficult to properly understand the draft Plan’s implications regarding sustainability.

3.10 Most concerningly, the draft Neighbourhood Plan does not seek to meet the objectively assessed housing need arising in the area over the Core Strategy Plan period (i.e. to 2026). Rather, the draft Neighbourhood Plan’s housing policies are based on a separate (and flawed) projection of population growth and housing requirements for Purton (to 2026). To attempt to prepare a Neighbourhood Plan upon the foundation of alternative population projections, places the draft Plan’s housing policies in conflict with Core Policy 2 of the Wiltshire Core Strategy, and the OAN figure upon which the Development Plan is based. Likewise, this approach is contrary to the policy approach set out in the NPPF (paragraphs 16, 17(3), 47, 49, 184) and PPG paragraphs 040 Reference ID 41-040-20160211 and 009 Reference ID: 41-009-20160211. Such conflicts means that draft Purton Policies 12 and 13 cannot be regarded as contributing to the achievement of sustainable development.
8(2)(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan

3.11 A draft Neighbourhood Plan only meets the basic conditions if, inter alia, “having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order”: paragraph 8(2)(a) of Schedule 4B TCPA 1990.

3.12 In order to have regard to a policy, as a matter of law, that policy has to be interpreted properly by the decision maker. A decision maker who misinterprets policy does not have regard to it and errs in law: see EC Gransden v Secretary of State (1987) 54 P. & C.R. 86, as renewed in Tesco Stores Ltd v Dundee City Council [2012] PTSR 983.

3.13 The PPG, at paragraph 009 Reference ID: 41-009-20160211, confirms that Neighbourhood Development Plans have to have regard to the latest and up-to-date evidence relating to housing need. The Steering Group will be aware of the current consultation on the draft Wiltshire Site Allocations Plan and the planned review of the Core Strategy. In this context, we would urge Wiltshire Council to deliver on its obligations (at PPG 009 Reference ID: 41-009-20160211) and share, with the Neighbourhood Plan Steering Group, the evidence set out within the Joint Wiltshire – Swindon SHMA. Taking account of this evidence, the draft Neighbourhood Plan shall need to be revised substantially, in order to ensure it provides appropriate flexibility to accommodate the additional growth which is likely to be required as a result.

3.14 Proposed Purton Policies 12 and 13 also place additional obligations on developers (some of which conflict with the PPG at Paragraph: 031 Reference ID: 23b-031-20161116), yet the additional obligations envisaged in these polices are not supported by any robust assessment of viability. Indeed, the draft Neighbourhood Plan gives little consideration to the relationship between viability and deliverability in general. Aside from rendering these policies ineffective, the paucity of analysis and understanding of development economics means that the draft document is contrary to the PPG, at Paragraph: 005 Reference ID: 10-005-20140306, and ignores the fact that achieving sustainable development (as defined in the Framework) includes making development viable, as per the NPPF at paragraph 173.

3.15 A further concern is that the wording and composition of draft Purton Policies 12 and 13 is ambiguous and contradictory. This is to say that a Planning Officer, when attempting to consider these policies in respect of the determination of a planning application, would not be in a position to apply them with confidence. This places the Local Planning Authority at risk of Section 78 Planning Appeals and potential High Court challenges.

8(2)(e) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area

3.16 In a number of respects the draft Neighbourhood Plan is in conflict the strategic policies of the adopted Wiltshire Core Strategy. This is relevant because the PPG at paragraph: 044 Reference ID: 41-044-20160519 states that;
“The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies (see paragraph 16 and paragraph 184 of the National Planning Policy Framework).”

3.17 In other words, both national planning policy and the Secretary of State’s guidance advise that Neighbourhood Plans have to be consistent with and not in conflict with the provision of housing to meet objectively assessed evidence of need. The Wiltshire Core Strategy sets out the housing requirement for the County to be delivered by 2026, as derived from the analysis contained within Wiltshire SHMA (2012). This is subsequently disaggregated in accordance with the Core Strategy spatial strategy.

3.18 As such, it is inappropriate for the Neighbourhood Plan to be based on independent projections (as prepared by a member of the Steering Group), which separately forecast population growth and housing requirements for Purton (to 2026 – i.e. concurrent with the Core Strategy period), but which are simplistic and which lack the nuanced understanding of a professionally produced evaluation. It is important to remember that the Neighbourhood Plan (once made) will form part of the Development Plan. A Development Plan cannot be based on multiple conflicting projections of population growth and housing requirements, it has to be based on an objectively assessed need (OAN), which is derived from a robust assessment, as carried out through the preparation of a SHMA.

3.19 For the Neighbourhood Plan to attempt to advance a separate housing requirement (to 2026) is in effect to attempt to ring-fence Purton and circumvent the spatial and delivery strategy as set out in the Wiltshire Core Strategy at Core Policies 1 and 2. Furthermore, in view of the preparation of the Joint Wiltshire – Swindon SHMA and the scheduled Local Plan Review (and in the context of the PPG at paragraphs 040 ref id 41-040-20160211 and 009 Reference ID: 41-009-20160211) we draw the Steering Group’s attention the Court of Appeal ruling in the recent case R(DLA Delivery) v Lewes DC ([2017] EWCA Civ 58);

“If a neighbourhood development plan has been made and the local planning authority later produces a development plan document containing new “strategic policies”, that development plan document will, under section 38(5) of the 2004 Act, prevail over any inconsistent policies in the neighbourhood development plan. And if a policy in a neighbourhood development plan is not, or ceases to be, up-to-date, this will be a material consideration in a development control decision, and may justify departing from that policy.”

3.20 We have also noted that both draft Purton Policies 12 and 13 conflict with other strategic policies in the adopted Core Strategy. The ambiguity of the each of these draft policies creates the potential for conflict with Core Policy 43 and therefore risks impeding the delivery of affordable dwellings. Similarly, the conflict with Core Policy 45 means that the mix of housing envisaged in the draft Neighbourhood Plan is incompatible with the mix sought through the Core Strategy, which is based on the SHMA (2012). Indeed, for the reasons explained previously, the Neighbourhood Plan and associated documents do
not provide robust evidence to supersede the SHMA derived housing mix. The effect will be to frustrate the Neighbourhood Plan’s aspirations and also deprive those responsible for determining planning applications of the clarity and confidence to make robust decisions.

Concluding Remarks

3.21 As currently configured the draft Neighbourhood Plan does not meet the basic conditions, as set out in paragraph 8(2) of Schedule 4B to the TCPA 1990. The draft Plan does not contribute to the achievement of sustainable development. Indeed, it sets out to denounce and subvert this key concept which is integral to the planning system. The draft Plan fails to have regard for national policies and guidance, and is in conflict with a number of strategic policies within the adopted Wiltshire Core Strategy.

3.22 The draft Plan is fundamentally flawed and should the Neighbourhood Plan Group seek to submit the Plan, the Local Planning Authority would not be able to accept it and it must be rejected. Accordingly, we recommend strongly that the Plan does not proceed further, until such time as it has been comprehensively revised and redrafted. In this respect, we would urge the Neighbourhood Plan Steering Group to concentrate on preparing a Plan within the scope and parameters of the existing planning system.
Appendix 1: Previous Representations to the Neighbourhood Plan
Dear Chairman,

NEIGHBOURHOOD PLAN CONSULTATION – LAND AT UPPER PAVENHILL, PURTON

Introduction
The following document has been prepared by Turley on behalf of Hills Homes Developments Ltd, who control land at Upper Pavenhill. The document promotes the allocation of this land for small-scale residential development, within the emerging North East Wiltshire Villages (NEW-V) Neighbourhood Plan.

Whilst we understand that the Parish Council and Neighbourhood Plan Team will wish to comply with the legal obligation to undertake a formal ‘call for sites’ (as noted by Planning Practice Guidance (PPG) 048), we wish to take this opportunity to highlight the potential for development on land at Upper Pavenhill.

We include, at Appendix 1, an accompanying Location Plan which clearly identifies the site.

The remainder of this letter outlines the context of the site, the need for development in Purton as well as the suitability of the site to accommodate a sensitive and high quality residential development.

Site Location and Context
The site, which is located 3km west of Swindon, comprises approximately 1.5 hectares of land, currently in (low value) agricultural use and which is cut for silage several times a year. The site is bounded by existing residential areas on its western, southern and eastern boundary. To the north the site abuts an area of allotments. The site is bordered by a mix of vegetation, hedgerows and fencing, and is currently accessed from the south via Pavenhill.

Site Suitability
The principle of development in Purton, and the appropriateness and need for development in this settlement, is established in emerging planning policy. This is noted in the Wiltshire Core Strategy Pre-Submission Document which identifies Purton as a Large Village. Core Policy 1 supports development at Large Villages where this helps to meet the housing need of settlements and helps to sustain employment opportunities, services and facilities.
In this regard, we suggest that there is an urgent need for Purton to accommodate sustainable and appropriately designed residential developments, in order to support the long-term viability of the village, including its primary school, library, village store, post office facility, pubs and other amenities. In this regard, we welcome the decision to prepare a neighbourhood plan as a positive and proactive step, towards planning for good quality development.

With respect to the specific suitability of the site at Upper Pavenhill, we submit that development at this location would benefit from excellent access to local facilities and amenities within Purton. Further, the site is situated approximately 150m west of the Restrop View and Royal George Bus Stops ensuring excellent connectivity by public transport to Swindon and the extensive services and facilities available there.

The site is well contained by existing residential dwellings which border the site on three sides. As such, residential development would effectively constitute in-fill development, and will provide a natural and logical continuation of the housing in this part of the village.

The suitability of the site is further reinforced by the Wiltshire Council SHLAA (2012). The SHLAA assessed the site (Ref. 436) favourably and did not identify the site as being subject to significant constraints. This assessment supports the view that the site is an appropriate location for sustainable residential development. This further establishes the principle of residential development.

In addition, we have commissioned a series of supporting assessments and studies which demonstrate the site’s suitability for residential development. These reports include highways and access studies, flood risk and drainage studies and an ecological appraisal. These documents indicate that the site at Upper Pavenhill is not subject to any significant constraints. Further, they indicate that a carefully designed scheme would enhance the local area, without creating significant material impacts on neighbouring properties.

Design
Residential development at the site should aspire to the highest standards of design. We have conducted supporting assessments which indicate that a residential development, finished in appropriate materials, that reflect the built form and vernacular of the village, would enhance the character of the local area.

Whilst development at the Upper Pavenhill site would aspire to high design standards, it is the case that the site is flat and well contained by existing development. As such, the visual impact of development would be contained to a small number of existing dwellings which back onto the site.

With regard to access, this would be achieved from the south via an improved entrance off Pavenhill. Such improvements would provide a wide vehicle splay and enhanced visibility. Further, development at the Pavenhill site could support improvements to the Pavenhill Road, such as ghost pavements or other mitigation measures, which would improve the amenity of local residents.

It is also important to note that Hills Homes Developments Ltd is an award winning local house builder, which specialises in the design and construction of bespoke housing developments, in rural settings. They have recent experience of working within Purton and the Hills Group has been a large employer in the area for many years. They are therefore keen to engage with the local community to create a high quality development which is fitting for a village with which they have a long association.

We therefore consider that the site can accommodate a high quality residential development, which is set within extensive, but appropriate landscaping, and which is designed in collaboration with the local community.
Conclusion

We submit that the parcel of land located at Upper Pavenhill constitutes a suitable location for residential development. Our surveys and investigations indicate that the site could accommodate a development, which has been carefully designed to enhance the local setting and respond to the special character of the village.

We would ask the Parish Council and Neighbourhood Plan Steering Group consider this letter as an invitation to engage with ourselves and our client, Hill Homes Developments Ltd, to help shape the future development of this site.

We would welcome the opportunity to further discuss the site with members of the Council and Neighbourhood Plan Steering Group, and would gladly support a wider public consultation, so that the aspirations of the community can be supported through future development at the site.

Yours faithfully,

Peter Lawson

Director

peter.lawson@turley.co.uk
Appendix 1.
I am writing to object to Purton Policy 1 contained within the draft Purton Neighbourhood Plan relating to the employment and development land referred therein as land at Mopes Lane industrial site and identified under the Wiltshire Core Strategy as Purton Brickworks.

The proposed restrictions on user classes contained within the draft Neighbourhood Plan on the future development of the land are not in conformity with the Wiltshire Core Strategy, which is a key requirement for all Neighbourhood Plans.

The proposed wording within the policy is objected to on the following grounds:

1. The North Wiltshire Local Plan whose designation is carried forward into the Wiltshire Core Strategy specifically noted the land as “suitable for new employment premises - general or heavy industrial use”;
2. Restriction to uses suggested has the potential to be prejudicial to the land’s allocation as a preferred area for waste management. Land already developed includes current waste management uses;
3. Policies should be evidence based, but there is no justification for the proposed user restrictions, furthermore in restricting the type of uses on an industrial estate to nominally B1 it is at odds with the stated intention of the Policy itself of providing new employment opportunities;
4. The current uses on the developed land are sui generis, B1 and B2 including heavy manufacturing. Restriction and conflict with existing users is likely if future use is restricted to simply B1;
5. No evidence is provided to back up the statement that there is limited access to Land and is contrary to existing development of the land and in conflict with the statement in the “Planning for Purton’s Future” document supporting the Neighbourhood Plan where access is described as “Good” (Page 84);
6. Map 4 used to illustrate the Mopes Lane Industrial Estate shows a considerably smaller area to the north than the full extent of the designated area or existing planning permissions for commercial use. The map should be extended to include: Change of use to B2 and B8 of the former LPG depot – planning application 14/10939/FUL; and the whole area submitted for inclusion to Wiltshire Core Strategy Employment Land and the Waste Site allocation plan; and
7. Suggested risk of flooding from surface water should not be presented as a barrier to development.

It is also at odds with Map 6 which shows the area at flood risk as south of the railway line.

The draft Purton Neighbourhood Plan as drafted is unsound with regards to Purton Brickworks and we request that Policy 1 is amended accordingly so it is fully aligned with the Wiltshire Core Strategy and all proposed restrictions to future development of the site are removed.

I also highlight the following additional matters within the draft Neighbourhood Plan:
1 The draft Neighbourhood Plan does not acknowledge that the land immediately adjoining this designation is allocated as a strategic waste management site, which cannot be compromised by the designation.

2 The draft Neighbourhood Plan does not acknowledge that part of Parkgate Farm landfill is within its boundaries.

3 The draft Neighbourhood Plan does not have regard for The Town and Country Planning (General Permitted Development) (England) Order 2015.

4 Policy 7 - The wording regarding development is not appropriate. Proposals putting forward for this land shall be supported by clear quantified evidence that there are no lower risk alternative sites available. Proposal should contain measures to manage any flood risk, otherwise the Policy is effectively sterilising land by limiting development until all alternative sites have been exhausted.

I request that consideration is given to the additional comments above on the draft Neighbourhood Plan and that it is amended accordingly.
I can confirm we have no comments to make with respect to this Neighbourhood Development Plan consultation.
Persimmon Homes welcomes the opportunity to provide comment on the Purton Neighbourhood Plan Regulation 16 Consultation.

The objectives of the plan are supported including the need to provide a greater number and range of homes to meet local need.

The identification of the Restrop Road site for housing development is supported. The site is available and deliverable for development with a detailed application submitted for determination. The application responds to the neighbourhood plan objectives by providing a mix of housing types including smaller homes for elderly villages wishing to downsize and for young singles, couples or families needing their first home.

The site is well located to the core of the village and is a high quality design which reinforces local distinctiveness. The design is in keeping with the surrounding housing and character of the local area. The site and its proposed detailed design are resilient to the effects of climate change and flooding.

We note the concerns that the parish arguably has a disproportionate mix of dwellings with a higher percentage of larger homes. The Purton Housing needs survey confirms this situation identifying a need for affordable and smaller homes. The submitted application on land at Restrop Road responds to this concern by proposing 40% affordable homes with 79% of the proposed properties being 2/3 bed.

The neighbourhood plan confirms that land south of the village off Restrop Road (which include SHLAA site 470 and part of site 440) is the most sustainable site for new development outside the settlement boundary. The application submitted successfully addresses Purton Policy 14 including:

1. respecting the character and setting of heritage assets in the vicinity of the site
2. landscaping to the western and southern edges of the site
3. green area adjacent to the Restrop Road
4. does not preclude future road connection to the remainder of the site or a road connection to the rear of the schools
5. protect and preserve biodiversity and the landscaping setting of the village
6. mitigation where necessary to reduce speed of traffic on Restrop Road
7. provision of safe cycling and walking routes

In summary Persimmon Homes are supportive of the proposed Purton Neighbourhood Plan and the identification of land for residential development off Restrop Road. The proposed residential allocation is available and deliverable for development.
Please find our response to the above attached on behalf of Thames Water.
Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment on the above.

As you will be aware, Thames Water covers the North East of the Wiltshire area including Purton and are hence a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have the following comments on the consultation document:

**Comments in Relation to Water and Sewerage/Wastewater Infrastructure**

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. New development should be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states: “Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.......the provision of infrastructure for water supply and wastewater....”

Paragraph 162 of the NPPF relates to infrastructure and states: “Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment......take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.”

The web based National Planning Practice Guidance (NPPG) published in March 2014 includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that “Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).

It is important to consider the net increase in water and wastewater demand to serve the development and also any impact that developments may have off site, further down the network. The Neighbourhood Plan should therefore seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to
under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.

Thames Water therefore recommends that developers engage with them at the earliest opportunity to establish the following:

- The developments demand for water supply and network infrastructure both on and off site;
- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

In light of the above we recommend the Neighbourhood Plan include the following policy/supporting text:

**PROPOSED NEW WATER/WASTEWATER INFRASTRUCTURE POLICY**

“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”

Proposed new Policy text to support the above policy:

“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company [Thames Water] as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”

**SUDS**

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the wastewater system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Thames Water recognises the environmental and economic benefits of surface water source control, and encourages its appropriate application, where it is to the overall benefit of their customers. However, it should also be recognised that SUDS are not appropriate for use in all areas, for example areas with high ground water levels or clay soils which do not allow free drainage. SUDS also require regular maintenance to ensure their effectiveness.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.
SUDS not only help to mitigate flooding, they can also help to:
- improve water quality
- provide opportunities for water efficiency
- provide enhanced landscape and visual features
- support wildlife
- and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan: "It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding."

Water Conservation
Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water.

The Environment Agency has designated the Thames Water region to be "seriously water stressed" which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change. Therefore, Thames Water supports water conservation and the efficient use of water. Thames Water support the mains water consumption target of 110 litres per head per day as set out in the NPPG (Paragraph: 015 Reference ID: 56-015-20150327) and consider that this should be covered in the Neighbourhood Plan.

Proposed Housing Sites

The information contained within the new Neighbourhood Plan will be of significant value to Thames Water as we prepare for the provision of future infrastructure.

The attached table provides Thames Water’s site specific comments from desktop assessments on water and sewerage/wastewater infrastructure in relation to the proposed development sites, but more detailed modelling may be required to refine the requirements.

It should be noted that in the event of an upgrade to our sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the upgrade. As a developer has the automatic right to connect to our sewer network under the Water Industry Act we may also request a drainage planning condition if a network upgrade is required to ensure the infrastructure is in place ahead of occupation of the development. This will avoid adverse environmental impacts such as sewer flooding and / or water pollution.

Waste-water/Sewage Treatment Works upgrades take longer to design and build. Implementing new technologies and the construction of a major treatment works extension or new treatment works could take up to ten years to plan, design, obtain approvals and build.
We trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

Yours faithfully

[Redacted]

Head of Property
<table>
<thead>
<tr>
<th>Site ID</th>
<th>Site Name</th>
<th>Water Response</th>
<th>Waste Response</th>
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</thead>
<tbody>
<tr>
<td>57201</td>
<td>Former Youth Centre (with the adjoining garages and green space)</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding Water Supply capability in relation to this site.</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding wastewater infrastructure capability in relation to this site.</td>
</tr>
<tr>
<td>49356</td>
<td>Land at North View</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding Water Supply capability in relation to this site.</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding wastewater infrastructure capability in relation to this site.</td>
</tr>
<tr>
<td>57200</td>
<td>Site 3318 - Hooks Hill</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding Water Supply capability in relation to this site.</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding wastewater infrastructure capability in relation to this site.</td>
</tr>
<tr>
<td>57198</td>
<td>Site 66 - Derelict Cottage Farm (College Farm)</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding Water Supply capability in relation to this site.</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding wastewater infrastructure capability in relation to this site.</td>
</tr>
<tr>
<td>57199</td>
<td>Site 91 - Land at Northcote</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding Water Supply capability in relation to this site.</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding wastewater infrastructure capability in relation to this site.</td>
</tr>
<tr>
<td>49997</td>
<td>Three sites in Dogridge</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding Water Supply capability in relation to this site.</td>
<td>On the information available to date we do not envisage infrastructure concerns regarding wastewater infrastructure capability in relation to this site.</td>
</tr>
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Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 15
Response Date 19/03/18 17:12
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Submission Type Email
Version 0.4
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Rep 15 representation plan.pdf
Rep 15 representation.pdf

Comment

Please find attached representations on the Purton Neighbourhood Plan (PNP) regulation 16 consultation on behalf of Taylor Wimpey Strategic land. Our client has an interest in land off Station Road, Purton as shown on the attached red line boundary plan. We have enclosed a completed representation form but comments on the PNP and associated evidence base are included within the attached letter.
Dear Sir/Madam,

**Burton Neighbourhood Plan Regulation 16 Consultation: Representations on behalf of Taylor Wimpey**

**Land off Station Road, Burton**

We write, on behalf of our client, Taylor Wimpey, in response to the current consultation on the submission version (Regulation 16) of the Burton Neighbourhood Plan (PNP). Our client has an interest in land off Station Road, Burton as shown on the enclosed red line boundary plan. We have enclosed a completed representation form but comments on the Plan and associated evidence base are included within the letter.

**General comments**

Turley’s on behalf of the Taylor Wimpey, made representations to the PNP Regulation 14 consultation which was undertaken during a six-week period commencing Monday 3 July 2017. Having reviewed the submission PNP, we consider that fundamentally the concerns raised by Turley’s to the previous consultation still remain in the submission version that is being consulted on, especially in those policies relevant to the supply of housing. We do have additional comments to make at this stage that were not raised during the Regulation 14 consultation. We consider these concerns render the Plan not fit to proceed to referendum.

Of continuing concern is that the submission PNP and associated evidence base have been cast in such a way that plans Purton in complete isolation. It should draw to the appointed examiner’s attention that the submission PNP and its evidence base has to some extent reinvented and redefined key concepts relating to sustainable development, population forecasting and housing requirements. Such concepts (amongst others) are already established and defined through statute, the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), appeal decisions, Local Plan examinations and judicial rulings.

The submission PNP ignores the key principles of the NPPF, it misinterprets the strategic policies of the Wiltshire Core Strategy and largely discounts the guidance provided in the NPPG. It also ignores the latest housing and economy evidence base published jointly by Wiltshire Council and Swindon Borough Council in November 2017 – this is discussed further below.

Likewise, because of its varied shortcomings, the Plan fails to comply with the provisions of the Neighbourhood Planning Act (2017) nor does it meet some of the ‘basic conditions’, as per paragraph 8(2) of Schedule 4B to the Town and Country Planning Act (TCPA) 1990.

Cont/d...
**Housing Need and Supply**

The submission PNP appears to provide only for local housing, without making any provision for wider housing needs. This is clearly confirmed in 'Purton: Planning for the future (December 2017)' document that accompanies the submission PNP which states at paragraph 7:

"The conclusion is that there is no housing required at Purton other than to satisfy local need..."

The NPPG (Paragraph: 040 Reference ID: 41-040-20160211) is clear that neighbourhood plans should take into account latest up-to-date evidence of housing need:

"Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need."

The submission PNP therefore continues to be markedly at odds with the position of both Swindon Borough Council and Wiltshire Council, who have jointly prepared a cross-boundary analysis of housing need. Swindon Borough Council and Wiltshire Council commissioned two independent studies to inform the review of their local plans including the preparation of a non-statutory Joint Spatial Framework to enable each plan period to be extended to 2036. These are the:

- Swindon and Wiltshire Strategic Housing Market Assessment (SHMA); and
- Swindon and Wiltshire Functional Economic Market Area Assessment (FEMAA).

These studies were published in November 2017 alongside the consultation on the Swindon and Wiltshire Joint Spatial Framework: Issues paper which closed on 19 December 2017. The Spatial Framework will set out in broad terms the amount and spatial distribution of new jobs, homes and infrastructure in the period 2016 to 2036. It will become evidence to inform each individual local plan review enabling the preparation of separate but aligned local plans. Moving forward each Local Plan review will take its lead from the broader strategy included within the Joint Spatial Framework.

Following an appraisal of the existing Housing Market Areas (HMAs) across both Wiltshire and Swindon, the HMAs have been redefined. The Royal Wootton Bassett area currently included in the North and West HMA for Wiltshire is now included as part of the Swindon HMA; as is Marlborough. In effect, the settlements of Cricklade, Purton, Royal Wootton Bassett, Lyneham, Aldbourne, Ramsbury and Marlborough are now brought into the Swindon HMA.

Therefore the appraisal site, currently part of the Royal Wootton Bassett area and within the North and West Wiltshire HMA, is identified within the Joint Spatial Framework consultation paper and new SHMA as being within the updated Swindon HMA. The Swindon and Wiltshire SHMA (2017) provides an updated Objectively Assessed Need (OAN) for housing in the Swindon HMA for 29,000 dwellings across the plan period 2016-2036 (1,450 per annum).

The Swindon HMA Profile recognises that housing delivery has been high in Royal Wootton Bassett, therefore locating additional housing in sustainable settlements such as Purton would ensure a suitable degree of balance to distribution of housing to the west of Swindon.

This outlines the strong relationship that Purton has with Swindon, and therefore represents a sustainable and logical location for housing growth. Categorised by the Wiltshire Core Strategy (2015) as a large village, Purton contains a wide range of services and facilities including shops, a dentist’s surgery, schools and leisure amenities.

It is considered that additional settlements to the west of Swindon which also play a dormitory role to Swindon, can equally be considered as sustainable locations for housing growth. Purton, also located within the Wiltshire administrative area, is located only some 3.7 miles west of Swindon.

Cont/d....
The current Annual Monitoring Report (2017) published for Wiltshire Council covers the period April 2016 – March 2017 and demonstrates the extent to which the current supply of housing sites in Wiltshire contribute to a 5 year supply of deliverable housing sites.

The latest report calculates the 5 year supply of housing using the housing requirement set out in the Wiltshire Core Strategy (2015) which uses a requirement of 42,000 net dwellings across the plan period 2006 – 2026 (an annual requirement of 2,100). As of March 2017 the latest report identifies that within the North and West Wiltshire Housing Market Area the current deliverable housing land supply is 5.73 years.

With regard to the supply, a recent appeal APP/U3935/W/16/3147902 (Land to the east of Marlborough Road, Wroughton, Swindon) from July 2017 calculated the current five year supply for the existing Swindon HMA to be ‘less than 2.5 years’. In addition, the Secretary of State also concluded within the July appeal decision that an additional 20% buffer be added to the housing requirement for the Swindon HMA due to persistent under delivery. Settlements such as Purton that are now brought into the Swindon HMA will need to play their part in ensuring the Swindon HMA can demonstrate a suitable 5 year housing land supply.

In spite of this, the last paragraph on page 33 of the submission PNP states: “The latest Wiltshire’s Housing Land Supply Statement (Update) published March 2017 indicates that no more houses (zero) need to be identified in the Royal Wootton Bassett and Cricklade Rural Area which includes Purton parish.” It is therefore further clarified that the submission PNP does not reflect the latest housing need and supply evidence.

It is appreciated that the NPPG is clear that a neighbourhood plan can be developed before the Local Planning Authority is producing its Local Plan. The emerging evidence is relevant to the PNP. The NPPG at paragraph: 009 Reference ID: 41-009-20160211 is clear that evidence informing the emerging local plan process is likely to be relevant. :

“Although a draft neighbourhood plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.

Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the Local Planning Authority should discuss and aim to agree the relationship between policies in:

- the emerging neighbourhood plan
- the emerging Local Plan
- the adopted development plan

with appropriate regard to national policy and guidance.”

Although it is appreciated that the submission PNP does identify housing sites for development, it is considered that the plan does not go far enough to positively support appropriate levels of local housing development and that does not fully contribute to the achievement of sustainable development. It is noted that the NPPG at paragraph: 004 Reference ID: 41-00420140306 states:

“A neighbourhood plan should support the strategic development needs set out in the Local Plan and plan positively to support local development...”

Cont/d....
Having reviewed the evidence base for the submission PNP, it is clear that migration and economic relationships are an integral part of a market-based housing system. As stated in the representations made by Turley’s on behalf of Taylor Wimpey to the PNP Regulation 14 consultation, for the PNP to reject this is to ignore the requirements of the NPPF. Furthermore, in progressing its own population projections and analysis of a localised housing requirement, the PNP is not deriving its figures from the housing requirement set out in the strategic policies of the Wiltshire Core Strategy. It is therefore at odds with paragraph 16 of the NPPF.

The starting point for a neighbourhood plan must be the identification of objectively assessed housing needs by the Local Planning Authority and it is not for a Neighbourhood Plan to determine the level of housing requirement. It is at this current time unknown what the spatial distribution of the updated requirement (as outlined in the SHMA) will be. However, given Purton’s role as a ‘Large Village’ it is likely that an increased proportion of housing growth (above that predicted in the document ‘Purton: Planning for the Future (2017)’) will be required. Indeed, it is notable that Wiltshire Council consulted on its pre-submission draft Housing Site Allocations Plan between July and September 2017 and is committed to an early review of its Core Strategy.

In attempting to independently model future population and household growth (and by explicitly applying this analysis within the draft Plan), the PNP (which once made will become part of the Development Plan) is effectively seeking to extend beyond its remit. This occurs because the Plan seeks to circumvent the spatial and delivery strategy as set out in the Wiltshire Core Strategy at Core Policies 1 and 2, as well as the Core Strategy’s strategic polices regarding the requirement for, and supply of, housing. Likewise, the Neighbourhood Plan cannot ignore the joint Wiltshire - Swindon SHMA and FEMAA.

With a potential higher need identified, additional sites in the PNP should be allocated outside of the Purton settlement boundary which could contribute both to the delivery of market housing and to the delivery of other forms of housing such as affordable and older persons. Our clients site would be one such site which should be allocated.

Site Assessment

The representations made by Turley’s on behalf of Taylor Wimpey to the draft PNP Regulation 14 consultation raised objections to the site assessment methodology and site evaluation criteria as set out in the ‘Purton: Planning for the future (Feb 2017)’ document. For clarification these comments still stand and are still relevant to the PNP Regulation 16 consultation. It should be noted that applying weighting to certain criterion can be considered to be a subjective exercise and can over complicate a site assessment process. Below are key points raised in the representations made by Turley’s on the Regulation 14 consultation that we would like to re-highlight to the examiner:

“Methodology

We have concerns regarding the approach the draft Neighbourhood Plan has taken towards the consideration and evaluation of sites which could potentially be allocated for development, with the main concern being the draft Neighbourhood Plan’s failure to further sustainable development, as defined in the NPPF. Rather, it seeks to advance the invented concept of ‘resilience’ and applies this term as the basis for its consideration of a site’s suitability for development.

Comments on Site Evaluation Criteria

“We would like to clarify that considerations of a site’s sustainably should be blind to its location within or outside of a settlement boundary. A settlement boundary is not a measure of sustainability, but rather a line on a map. To treat it as a constraint is to disregard the requirement to promote sustainable development, as necessary under Section 39 of the Planning and Compulsory Purchase Act (2004).”

Cont/d....
With respect to access to services, consideration should be given to the frequency with which people will likely access them. Most residents will access local shops on a relatively frequent basis. However, the majority will engage the services of a doctor or dentist relatively infrequently. The same could also be said regarding the criteria relating to proximity to the Parish Council offices and Village Hall, as most residents will visit these occasionally, if at all.

In considering the ecology related criteria, we agree that if a site falls within such a designation then this likely constitutes a constraint. However, we note that proximity to a local nature designation does not actually mean that development would be detrimental to it. Likewise, it is inconsistent to evaluate a site’s suitability for allocation on the basis of a site being ‘known, or likely, to have badgers, great-crested newts, bats or deer’. The presence of such species does not automatically preclude development and development proposals often facilitate biodiversity enhancements as part of a comprehensive scheme, though the provision of green infrastructure (noting also, and for example, that agricultural fields are typically lacking in bio-diversity). As such, this cannot be considered to constitute a robust or appropriate criterion for assessment and accordingly it should be deleted."

Submission Purton Neighbourhood Plan Policies

Policy 6: Settlement identity

This policy reads as a statement and not a policy. It is also not concise or precise and would therefore not reflect the NPPG at paragraph: 041 Reference ID: 41-041-20140306 which states:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”

It is also considered that the policy does not add to policies in the adopted Wiltshire Core Strategy (such as Core Policy 2: Delivery Strategy).

We would also like to re-highlight the comments made by Turley’s on behalf of Taylor Wimpey to the PNP Regulation 14 consultation which were as follows:

“Whilst we understand the desire to retain the separate identity of Purton from the urban area of Swindon, the Neighbourhood Plan should not preclude any development from coming forward on the Eastern edge of Purton if, having considered all of the options, it is considered to be the most suitable location for future development.”

Policy 13: Development Principles

The principle of allocating sites in the PNP is supported. However, as currently worded it is unclear as to whether policy 13 is "actually" allocating sites. This is made further unclear by the title of the policy being "Development Principles." If these sites are indeed allocated, it is also currently unclear what quantum of development each allocated site is actually allocated for as only the site reference and location details are listed in the policy. The policy is in conflict with guidance at paragraph: 041 Reference ID: 41-041-20140306 of the NPPG which requires policies in a neighbourhood plan to be clear and unambiguous.

It is recommended that the Examiner seeks clarity as to whether all the sites identified in policy 13 are indeed available for development and ultimately whether they meet the ‘deliverable’ test is paragraph 47 of the NPPF and also the guidance at paragraph: 040 Reference ID: 41-040-20160211 of the NPPG.

Cont/d....
The policy, as drafted, continues to be in conflict with other elements of the submission PNP and if the PNP is made will introduce internal consistency issues within the Wiltshire Development Plan. These concerns were raised by Turley’s on behalf of Taylor Wimpey through the PNP Regulation 14 consultation. For example the submission PNP acknowledges that not all housing needs identified can be met on small sites within the existing settlement boundary and that the development of larger sites is necessary to deliver affordable housing and older peoples housing (which are all identified as needed) but the policy then restricts development which would deliver those. This is at odds with Wiltshire Core Strategy Policy 45 (Meeting Wiltshire’s housing needs).

In conclusion Policy 13 continues to be in conflict with the policies of the Wiltshire Core Strategy, the PPG and the NPPF and cannot, therefore, be considered to be robust or to meet the requirement for Neighbourhood Plans.

**Policy 14: Development outside settlement boundary at Restrop Road**

It is again unclear whether this policy is allocating sites. It would appear that an ‘area of search’ has been defined on Map 12 and it is unclear what this means and what status it will have. The wording of this policy needs to be closely considered by the Examiner. The paragraph at the top of page 38 of the submission PNP states that SHLAA sites 440 (part) and 470 which form the ‘area of search’ have few constraints, however this is questionable when there are many detailed criterion (i.e. on heritage, landscape) in policy 14 that must be satisfied.

The Taylor Wimpey land interest off Station Road is located to the north east of Purton and is capable of providing a significant number of dwellings. The land of Station Road, Purton should be allocated in the PNP and defined on map 12 for the following reasons:

- The site is bounded by existing residential properties along Shaftsbury’s Close and Station Road and by businesses to the south west along Station Road. Existing mature trees and hedgerows form a strong boundary on the north, south and eastern site perimeters. The site is therefore well contained. The site is also within close proximity to services within Purton. These include a convenience store located 1.5km from the site within the widely recognised 2km walking distance. St. Mary’s Primary School is located 700m from the site, while Bradon Forest Secondary School is some 900m from the site.”

- It is clear that the site is within a sustainable location for development given its close proximity to services within Purton and Swindon. The availability of such sites on the periphery of Swindon demonstrate the opportunity for providing a degree of choice in the housing market for those not wishing to live in Swindon.

- The site adjoins Station Road presenting a suitable access to the site for both vehicles and pedestrians. Two existing bus stops are located within immediate proximity to the site on Station Road, providing access to Cirencester, Cricklade and Swindon. Promoting travel by sustainable transport is supported by paragraph 32 of the NPPF and provides opportunity for the use of alternatives to the private car.

- In light of Purton now being identified within the Swindon HMA it is considered that the submission PNP does not reflect the latest evidence available and that it is planning for housing growth in isolation.

- The site is not subject to any significant physical, environmental or technical constraints which would prevent housing development. This is confirmed in the site assessment work included in the ‘Purton: Planning for the future (December 2017)’ document produced by the Neighbourhood Plan Steering Group.

- The site is wholly available for development and, subject to securing planning permission, could be developed in the short term making a significant contribution to the housing delivery for the Swindon HMA over the next five years.

Cont/d....
In addition to the above, the Neighbourhood Plan Steering Group confirm in their site assessment work that after site 440 and 470 (the sites that form part of the ‘Area of search’ defined in Map 12 of the submission PNP), site 448 (land off Station Road, Purton) is the next best performing site (of those located outside of the settlement boundary). Page 31 of the ‘Purton – Planning for the future (2017)’ document states:

“Of all the sites outside the Settlement, the three rated most highly were: Site 470 Land at Restrop, Site 440 Land at Willis Way and Site 448 Land off Station Road. The large Site 448 Land off Station Road has the potential to accommodate up to 95 houses...”

As noted in the PNP site assessment work and by Taylor Wimpey, the site has the ability to deliver a scheme of approximately 95 homes. However, we are mindful that one of the objectives of the PNP on page 31 is “to keep all new development smaller than 40 homes”. Taylor Wimpey has confirmed that they would be happy for the site to be allocated for a minimum of 40 dwellings.

In light of the above comments, an additional policy should be added to the PNP which allocates the land off Station Road, Purton as follows:

“Policy 15: Land off Station Road, Purton

Site 448, land off Station Road, Purton as defined on Map 12 is allocated for housing development for the delivery of at least 40 dwellings. The site defined in Map 12 has overall capacity for approximately 95 dwellings. A potential later phase for approximately 45 dwellings may be delivered beyond the plan period.”

Reserve housing site policy

Although it is considered the site should be an allocated housing site, the PNP should include a policy which allocates reserve housing sites. We would like to highlight Paragraph: 009 Reference ID: 41-009-20160211 of the NPPG which states:

“...The Local Planning Authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan.”

To ensure that emerging evidence of housing need is capable of being addressed and enable an element of future proofing (page 36-37 of the submission PNP states “To manage growth in the longer term and remove the continuing uncertainty generated through speculative development), it is suggested that the submission PNP is modified to include a reserve housing site(s).

If site 448 is not allocated for development it should be identified as a reserve housing site that would be expected to come forward at a later date in certain circumstances. As noted above, after site 440 and 470, site 448 is the next best performing site (of those located outside of the settlement boundary). The following policy is suggested to be added to the submission PNP:

Cont/d....
"Policy xx: Allocated reserve housing sites

The reserve site listed below (and defined on the Policies Map) is allocated for residential development and should come forward within the plan period where:

- there is an identified deficit in the rolling five year supply of housing land in the Swindon Housing Market Area;
- other sites allocated for development in policy 13 or 14 are no longer deliverable and/or developable; or
- another adopted Development Plan Document allocates the site for residential development.

The reserve site is:

Site 448: Land off Station Road, Purton for the delivery of at least 40 dwellings. The site defined in Map 12 has overall capacity for approximately 95 dwellings. A potential later phase for approximately 45 dwellings may be delivered beyond the plan period."

Land at Restrop Road, Purton

It is of note that a planning application (made by Persimmon Homes) on land at Restrop Road (16/10513/FUL) for 38 dwellings is currently being considered by the Local Planning Authority (Wiltshire Council). This site forms part of the “area of search at Restrop Road” identified in policy 14 and map 12 of the submission PNP. It is noted that Purton Parish Council and the Neighbourhood Plan Steering Group have both objected to this application. It is suggested that the examiner seeks clarification from both parties as to why they are objecting and if they have concerns whether the site can/should be developed. Clearly this is pertinent as this could bring into question the deliverability of the Restrop site.

Other comments

If the land off Station Road, Purton is not allocated in the PNP, then it is important to highlight to Wiltshire Council and Purton parish Council the following in the NPPG (Paragraph: 044 Reference ID: 41-044-20160519):

"Conflict between a local plan and neighbourhood plan "Should there be a conflict between a policy in a neighbourhood plan and a policy in a Local Plan, section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan."

Wiltshire Council via their Site Allocations Plan or the Local Plan Review will have to opportunity to allocate additional sites around Purton to help to satisfy housing need in the Swindon HMA. It is our view therefore that Purton Parish Council have currently missed an opportunity via their neighbourhood plan to future proof the parish. As noted above, the PNP could be future proofed by allocating an additional housing site(s) or a reserve housing site(s).

If the PNP does not allocate an additional housing site(s) or a reserve housing site(s) and in light of the PNP going in advance of strategic plan making, it is recommended that the Examiner considers the PNP can only proceed to referendum on the basis an early review mechanism is incorporated in to the PNP (such as within 2 years of the PNP being ‘made’).

Conclusion

We consider the submission PNP does not meet the following basic conditions (set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004):

Cont/d....
a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

On this basis it is respectfully considered that the current version of the submission PNP cannot proceed to referendum.

As discussed above, we consider that the site at land off Station Road, Purton should be allocated as a housing site in the PNP or at the very least should be allocated as a reserve housing site. If the site is allocated we consider this will help overcome the basic conditions issues.

We trust these comments are helpful. We do consider that an examination hearing session[s] would be of use for the appointed examiner to ensure adequate examination of the housing issues in the parish. If the examiner is minded to hold an examination hearing(s) we would like to participate on behalf of Taylor Wimpey.

Following the examination, we request to be notified of the following:

- Publication of the Examiner’s report
- Wiltshire Council’s decision on the PNP.

Taylor Wimpey would be keen to work collaboratively with both Wiltshire Council and Purton Parish Council and all relevant stakeholders in ensuring their site can come forward in the most appropriate way and contribute to delivery of housing in the village and the Swindon HMA.

If the appointed Examiner, Wiltshire Council or Purton Parish Council have any queries in relation to our comments, or would like to discuss them, or our clients’ site, please do not hesitate to contact me.

Yours sincerely

[Redacted]

Associate Director
Development Planning & Design Services Ltd

Enc Red line boundary plan for land off Station Road, Purton
Completed representation form
All Potential Planning areas have been individually assessed, with all the Positive and Negatives Assessed in Detail thoroughly. Housing that is in-keeping, affordable and most importantly what the villagers are in need of has all been well considered.

Development of Business’s and Amenities has also been considered where possible. However attracting smaller units to compete against global scale will continue to be a fight.

Transportation as a whole – although adding ~100 new homes will make little difference to our road system, Consideration of Purton as a short cut as it is already used as impact needs to be considered (RWB/Cricklade/tadpole farm development etc)

I support the plan as a whole.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

To which part of the Purton Neighbourhood Plan does your comment relate?

Page 34 Last Paragraph

Comment

Reference the PPC Draft Neighbourhood Development Plan:

Of the SHLAA sites there are what appears to be more suitable alternatives to the preferred, proposed sites 470 & 440, e.g. sites 1120, 88 and 443 are more within Purton village and represent potentially 114 homes, exceeding the 103 that are sought.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 18
Response Date 20/03/18 12:26
Status Processed
Submission Type Email
Version 0.2
Files Reps 18-29 Representations.pdf

To which part of the Purton Neighbourhood Plan does your comment relate?

Page 1-16

Comment

5.1 It is clear that the Neighbourhood Plan Team has made significant strides in its production of the Neighbourhood Plan.

5.2 Notwithstanding this we consider that a number of changes to specific policies are needed to ensure that the plan meets the basic conditions. We also consider that additional site allocations are needed in order to meet the requirements of the Wiltshire Core Strategy. We address each section in turn below.

5.3 We note that the Neighbourhood Plan period is set to coincide with the plan period of the Wiltshire Core Strategy i.e. until 2026. We are however conscious this leaves only 8 years from now for the new plan to remain in force. Consideration should be given to a longer plan period, especially given the new Local Plan will extend to 2036.
5.4 Purton Policy 1 seeks to enhance the prospects for local employment. It is proposed that undeveloped land at Mopes Lane (identified as part of Purton Brickworks) and Penn Farm Industrial Estate, are to provide opportunities for local employment. We suggest that Map 4 should clarify which is the undeveloped land as well as which is land already in employment use. The Policy would also benefit from re-drafting to separate the clauses referring to new development and those referring to protection of the existing developed sites.

5.5 We welcome the objective of increasing employment in the area. We note that the only opportunities being provided for in the Policy are for those falling within Use Class B1. We consider that this is not in conformity with the Core Strategy Policy CP34 which refers to "rural based businesses" which could fall within any of the 'employment' use classes, B1/B2/B8.

5.6 We consider that the locations identified are also not ideal for the types of enterprises that are referenced in the draft Policy. Existing occupiers at Mopes Lane include a waste transfer/recycling station and a specialist industrial coatings supplier. At Penn Farm there is a vehicle repair garage. B1 uses which include offices, research and development of products and processes, light industry are appropriate within a residential area and uses such as those listed within the policy in particular are likely to seek locations with a lower incidence of disturbance from neighbouring activities. A more appropriate site for these B1 uses can also be considered as part of the proposed development at Widham Farm and our client would be willing to work with the Parish Council to progress such an opportunity.

5.7 The draft Policy also requires that access to the Penn Farm site should be taken from Mopes Lane. We would question the financial viability and therefore deliverability of the site with the requirement for a new access lane given that the developable area available is stated to amount to 0.13 Ha. The requirement that a new access lane is provided to release the Penn Farm site is stated to reflect a lack of capacity for New Road to accommodate additional commercial traffic. We have not located any evidence to support the stated lack of highway capacity.
5.8 We therefore consider that Purton Policy 1 fails to meet the basic conditions for Neighbourhood Plans, specifically with respect to conditions d and e.
To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 3

Comment

5.9 Paragraph 3.8, bullet point 3 refers to a pedestrian footpath being sought across the Swindon to Gloucester railway line. Our client's land has a significant frontage onto the railway line, as well as having boundaries to both the existing urban area at Witts Lane and Station Road. As a result, our client will be willing to look at the feasibility of helping to facilitate a pedestrian crossing providing links through the urban area or from Station Road across to the opposite site of the railway line to access the industrial sites at The Brickworks and Penn Farm.

5.10 Purton Policy 3 requires new development to provide links to existing pedestrian routes where appropriate. Development at Widham Farm would incorporate the existing PROW provision within the site and which connect with the existing network, and would also create new links between existing routes.
5.11 Purton Policy 4 states that ecological enhancements should be implemented as part of proposed developments to work towards a net gain in biodiversity, in line with Core Policy 51. CP51 is concerned with Landscape character while Core Policy 50 addresses matters of biodiversity so Purton Policy 4 should reference CP50. However, we suggest that the policy should be omitted as it repeats provision made in other relevant policy and fails to meet the guidance (NPPG Reference ID: 41-041-20140306) that Neighbourhood Plan policies should be:

"concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared".
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 5

Comment

5.12 Purton Policy 5 allocates an area identified on Map 5, as open space to be retained to protect locally important views to and from the escarpments to the north of the village. We note that the site at Widham Farm does not lie within the allocated area and support this status which is in line with the Inspector’s conclusions set out in her decision on Appeal reference APP/Y3940/A/11/2165449.

5.13 However, we do note that the proposed designation of the key local landscape and the level of protection set out in Purton Policy 5 is not supported by a robust evidence base. The justification text for the policy references the Parish Plan as the source for identifying the locally important views. Photoviews have been provided at Annex 12 of the ‘Planning for the Future’ document which identify key features. However, it does not appear that any specific Landscape Assessment has taken place. Whilst the supporting text states that "Purton Parish Plan identified the need to protect these magnificent views and reduce the impact of development on the visually-sensitive skyline at the top of the village" this is not an informed assessment, nor necessarily representative of the total population.

5.14 Without the evidence base required, the policy approach to creating a new landscape designation does not have regard to the Framework, in particular, paragraph 113 which requires distinction between the hierarchy of designated landscape areas, so that protection is commensurate with their status.

5.15 We therefore consider that Purton Policy 5 fails to meet the basic conditions for Neighbourhood Plans, specifically with respect to condition a.
To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 6

Comment

5.16 Purton Policy 6 aims to retain land between the eastern boundary of Purton and the western edge of Swindon as open countryside to retain the rural quality and value of Purton, Purton Stoke, The Fox and Hayes Knoll. We note that the site at Widham Farm does not lie within the area described in the policy and we support the conclusion that development of this site would not therefore result in any detrimental impact on the rural character or identity of the identified settlements.
5.17 Purton Policy 7 refers to land adjoining the Swindon to Gloucester railway line as being prone to flooding. The draft policy requires that proposals for development on this land demonstrate how mitigation will prevent flooding of this land. The policy references a flood area shown on Map 6 and states that part of Widham Farm is included in this area prone to flooding. The proposals for development at Widham Farm exclude the area identified by the red arrow on Map 6 and determination of the earlier application concluded that flood risk was not a constraint to the proposed development.
To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 9

Comment

5.18 The table prior to paragraph 3.12 sets out the objectives for facilities in the village. We note that these include protecting and where possible, enhancing facilities for elderly people who wish to remain in the village. We therefore take note of Purton Policy 9 with regard to facilities for the elderly and land being identified for the provision of supported living accommodation for elderly people. The site at Widham Farm provides the council with an opportunity for an early delivery of dwellings to meet this specific need.
5.19 We note that the need for new homes is set out in the accompanying document ‘Purton – Planning for the Future’ and is based on a simple projection of past trends in population change. The Plan proposes that ‘a minimum of 94 new homes will be needed between 2016 and 2026.’

5.20 In adopting a housing requirement derived solely from a trend-based, net change in population, the Plan fails to comply with the approach for establishing the housing requirement set out in the current PPG as it fails to move beyond the ‘starting point’ for assessing the housing requirement.

5.21 The recent draft Planning Practice Guidance update on Local Housing Need Assessment, published in March 2018 set out the Government’s proposals for a standardised approach to assessing housing requirements.

5.22 While the guidance is not yet adopted, it is useful to note that the proposed approach uses the National Household Projections as the starting point, but then makes an adjustment to take account of market signals, based on the affordability of homes. The affordability is calculated by reference to median house prices and median workplace earnings. The guidance then notes that:

“Plan-making authorities should not apply constraints to the overall assessment of need. Limitations including supply of land, capacity of housing markets, viability, infrastructure, Green Belt or environmental designations, are considerations when assessing how to meet need. These types of considerations are not relevant to assessing the scale of that need.”

5.23 The draft PPG revisions also address housing requirements for Neighbourhood Plan areas. It states:

“Ideally, local planning authorities should set housing requirement figures for designated neighbourhood areas as part of their strategic policies. However, it may be necessary for indicative housing requirement figures to be produced (for example where the strategic and neighbourhood plan production timescales don’t align or new evidence of housing need is available).”

5.24 The draft guidance continues to state that:
“where a local authority’s strategic policies do not include a housing requirement for a particular neighbourhood area……….then the neighbourhood planning group may need to determine a housing requirement figure for the designated neighbourhood area. The latest neighbourhood planning toolkit on housing needs assessment may be used to provide the requirement.”

5.25 The approach to the assessment of housing need provided in support of the Neighbourhood Plan falls within the minimum scope of assessment set out in the neighbourhood planning toolkit. It fails to consider the affordability of housing in the parish, how affordable housing need forms part of the overall need and it relies upon the results of a housing needs survey from 2011 to guide the policy on the range of housing sizes needed.

5.26 The recent Swindon and Wiltshire SHMA is also relevant to the assessment of need for Purton. Purton falls within a new Housing Market Area serving Swindon and the surrounding area. The Housing Market Area profile published in support of the work on the preparation of the Joint Spatial Strategy for Swindon and Wiltshire states that:

“monitoring shows that whereas completions in the urban area are in line with the Local Plan trajectory, completions on the urban extensions are significantly less than anticipated. (1,991 compared to 4,023). This shortfall has impacted on the supply of houses to the extent the Council cannot presently demonstrate a five-year supply of housing.”

5.27 A key issue identified for the HMA and the emerging Local Plan is therefore how short-term delivery of housing land can be achieved while the larger, more complex urban extensions come forward. The availability of sites such as Widham Farm should be considered as part of the solution to the shortfall in housing supply within the HMA.

5.28 The Neighbourhood Plan references a need for affordable housing, houses for first time buyers, smaller properties for those who wish to downsize and also properties suitable for older persons, including bungalows. It states that this need is identified in the Parish Plan (2014) and the Housing Needs survey from January 2012.

5.29 The Parish Plan states (page 45) that 34% of residents identified such a need for affordable housing and low cost housing for first time buyers. The Housing Needs survey identified that just over 12% of the parish’s housing stock was ‘affordable housing’ much lower than Wiltshire’s average of 19.2%. In order to address the need for affordable housing, there is a strong case for providing for some more market housing in the village, which would enable delivery of more affordable housing alongside it. The Wiltshire Core Strategy Policy 43 identifies 2 zones across the plan area for the provision of affordable housing. Purton falls within the zone where 40% of new housing development over 5 units (now modified to a threshold of 10 units) would need to be ‘affordable housing’. Even if all of the provision identified in the draft Plan was to be within the site size threshold this would yield some 38 affordable units. Based on a total number of households currently (Parish Plan) of 1,701 and 12% being affordable housing this would represent an increase in the level of affordable housing to some 13.3% (of a total of 1,795 households), still much lower than the Wiltshire average. This suggests that there is a case for an increase in the housing requirement to assist in bringing forward more affordable housing.

5.30 As the council will be aware, it is critical that the Neighbourhood Plan is in general conformity with the strategic policies in the Wiltshire Core Strategy. However, it is also the case that Neighbourhood Plans are seen by the Government as a means of providing a significant boost to housing land supply across the country.

5.31 The stated aim/objective of ensuring that brownfield sites well related to the villages are prioritised over green field development is inconsistent with the Framework, which seeks to ‘encourage’ rather than ‘prioritise’ the development of previously developed land. The issue has arisen in numerous Local Plan examinations, but is probably best summarised in the Secretary of State appeal decision for Burgess Farm, Salford, which was issued shortly following the publication of the Framework (appeal ref: APP/U4230/A/11/2157433). Paragraph 14 of the decision letter clarifies the Secretary of State’s position:

“He gives less weight to the sequential approach to release of sites. National planning policy in the Framework encourages the use of previously developed land, but does not promote a sequential approach to land use. It stresses the importance of achieving sustainable development to meet identified needs.”
Clearly sites need to be viable and of a sufficient scale to address the identified needs for market and affordable housing.

While the draft NPPF published in March 2018 (paragraph 118c) proposes to alter the position set out currently such that “substantial weight” be given to the value of using suitable brownfield land within settlements, it still does not extend towards an exclusively sequential approach to site selection and development.

There are a number of aims and objectives set out in the plan with respect to Housing, with the goals being to provide existing and future residents with the opportunity to live in a decent home that meets their need and to retain the rural and historic character of the villages. We have considered each of the aims and objectives.

We would question the merit in setting a maximum size for all developments to be smaller than 40 dwellings. Clearly if there are opportunities for sustainable developments for a greater number of dwellings, which can provide significant benefits for the local community, then these should be considered, particularly where they would be a logical extension to the village. We consider that this is the case with respect to the site at Widham Farm, which would address many of the issues raised with respect to the provision of housing.

The site at Widham Farm has been the subject of planning applications and an appeal decision. It is clear that the only issue with the appeal was the issue of a five-year land supply. There were no environmental or technical issues with regard to the site which were used to refuse planning permission. With respect to flooding, the Inspector concluded at paragraph 124 of her decision:

“These outcomes and maintenance of the proposed drainage system could be ensured by imposing conditions tying the permission to the Flood Risk Assessment and setting out requirements for drainage, floor levels, landscaping and the surface water management pond. The development would not reduce the risk of flooding so as to provide a benefit which would tip the balance in favour of a grant of permission. However, it would not add to the local flood risk so that the appeal could be dismissed on this ground”

With respect to highways and traffic, she found (paragraph 126):

“Nevertheless, I agree with the appellant and the Council that the roads in Purton are not used to capacity and could accommodate cumulative traffic from the proposed and nearby housing. The development would be unlikely to cause unacceptable traffic problems or loss of highway safety.”

With respect to environment, heritage and design the findings were:

“The proposed development would be laid out to retain sufficient space around Widham Grove and Widham Farmhouse so as to preserve the setting of both listed buildings. Subject to provision of the ecological pond and suitable vegetation, the proposed housing would cause no unacceptable harm to any protected species. Whether the development would have an acceptable design and impact on nearby properties would be properly considered at reserved matters stage.”

Therefore we welcome acknowledgement through the Neighbourhood Plan that there is a need for sites to come forward within and adjoining the village. Widham Farm should now be considered as a site for housing.
To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 13

Comment

5.40 The Policy identifies sites to deliver ‘approximately’ 75 homes in Purton. To fully reflect the Core Strategy, the policy should be expressed as a net figure, and also as a minimum.

5.41 The proposed approach to delivering housing within the settlement boundaries is also inconsistent with the Framework’s requirement to maintain a 5 year supply of housing land. There is no mechanism identified to monitor the delivery of housing, no trajectory assumed for delivery, and therefore no provision for addressing any shortfall in delivery that occurs.

5.42 Purton Policy 12 identifies a number of sites within the settlement boundary for development for housing (shown on Map 11). The deliverability of these sites is important, but it is also crucial that developments deliver what the village needs with regard to size and types of homes, affordable homes for the elderly and lifetime homes. We question the delivery of a number of these sites, many of which have been available for some time and have not been progressed which raises doubts as to their viability. A number will also impact on the heritage assets of the village. They are also not of a scale which can deliver the aims and objectives of the plan, for example, in terms of achieving an appropriate housing mix.

5.43 We therefore object to the policy as drafted as it fails to meet the basic conditions for Neighbourhood Plans, specifically conditions a, d and e.
5.44 Purton Policy 14 (Development outside the Settlement Boundary) applies to land identified on Map 12 as an area of search for the provision of up to 40 smaller homes, including affordable housing, houses for first time buyers, smaller properties for those who wish to downsize and also properties suited to older persons, including bungalows. The policy sets out a number of constraints with regard to this site including the impact on historic assets (Ringsbury Camp Scheduled Monument and the Grade II* Restrop House). We note that there is a current application on part of this site and that the Parish Council and Neighbourhood Planning Group have objected to it. One of the stated concerns is that the applicant has not engaged with the Neighbourhood Plan Group and that the application does not conform to the emerging neighbourhood plan.

5.45 The site has been identified as the most appropriate to accommodate further housing development for the village as the result of a site assessment exercise using scores against various ranked criteria.

5.46 In our view the correct approach to development outside the settlement boundary is to apply the presumption in favour of sustainable development set out within the Framework; i.e. planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.47 In our view, numerical ranking exercises, which are not based upon specific schemes or mitigation, are not an adequate replacement for the traditional planning balance exercise. If there is a shortfall in housing land supply, applications need to be considered on their own merits, having regard to their compliance with the development plan and any other material considerations. The site assessments may be a material consideration, but the policy should not exclude other sustainable developments being brought forward to address an acknowledged need.

5.48 We note in particular the assessment of Widham Farm on pages 48 to 50 of the report titled Purton – Planning for the Future (December 2017). The site is assessed against 24 criteria and given a rating against each. As set out earlier, the site has previously been assessed against many of these criteria and in each case they were not found to be a constraint on development. The scoring of the site on page 48 is not correct and underplays the positive contribution that development of this site
would make to Purton. We discuss the over-reliance on distances to individual facilities further below. However, the scoring for potential community enhancements, impact on heritage, landscape (view) impact, and flooding should all be increased to the maximum score as all of the negative aspects identified in the commentary to support the lower scoring will be avoided, mitigated or improved as a result of the proposed development layout.

5.49 Of the 24 criteria listed, 16 relate to the distance of a site from a named facility which we consider places a disproportionate emphasis on locational aspects of sustainability, contrary to the approach adopted more widely when considering development which can support rural settlements and communities. The application of the three strands to sustainability (economic, social and environmental) seeks to ensure that a broad assessment is made. One of the Core planning principles set out in the NPPF is to focus significant development in locations which are or can be made sustainable (our emphasis). Paragraph 55 recognises that development in one village may even support services in a separate village.

5.50 More specifically, some of these criteria are of limited relevance to many residents (access to a vet) and some in effect duplicate the same measure (e.g. distance to Village Hall and Library, distance to alternative public houses) which, despite the weighting which we acknowledge is used to balance some of the other criteria, again over states the importance of distance to a facility in determining sustainability (or resilience) of the sites being considered.

5.51 Section 4.4 of Manual for Streets describes the characteristics of a walkable neighbourhood as follows:

"Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes’ (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS13 states that walking offers the greatest potential to replace short car trips, particularly those under 2 km. MfS encourages a reduction in the need to travel by car through the creation of mixed-use neighbourhoods with interconnected street patterns, where daily needs are within walking distance of most residents."

5.52 Therefore the assessment should reflect the above criteria to assess accessibility.

5.53 The inspector for the appeal against refusal of the application at Widham Farm stated that "the site is within walking or cycling distance of amenities in the settlement, including a primary and a secondary school, a library, convenience store and new post office". Indeed, at the 2012 inquiry the Council conceded that "there is no land available for development within Purton which is more sustainable than the appeal site". Therefore the site is accessible and sustainable.

5.54 We suggest that the appraisal scoring criteria be recast and sites reassessed to reflect these guidelines.

5.55 We therefore object to the policy as drafted as it fails to meet the basic conditions for Neighbourhood Plans, specifically conditions a, d and e.

1 Conclusion

6.1 We note that work has been undertaken to get the Neighbourhood Plan to the current stage. We also note that there are a number of specific aims and objectives that our clients land could deliver going forward, these being:-

1 meeting homes with local need, including affordable homes and the elderly;
2 the provision of employment land for B1 use; and,
3 the potential for a pedestrian link between Purton and the northern side of the railway line.

6.2 Therefore, we object to the failure to allocate the site at Widham Farm for development in the Draft Neighbourhood Plan.
1.1 Emery Planning is instructed to submit representations to the Purton Neighbourhood Plan (hereafter referred to as the ‘PNP’) on behalf of the Wainhomes (South West) Holdings Limited (hereafter referred to as ‘Wainhomes’). Wainhomes have an interest on the land at Widham Farm, Purton, which is located on the northern edge of the village and is bounded by the railway line to the north, the existing urban area to the west and south and Station Road to the east. The site is referenced 442 in the ‘Purton-Planning for the Future report’. A site location plan is provided at appendix EP1.

1.2 It is clear that the Neighbourhood Plan Team has made significant strides in its production of the Neighbourhood Plan. However, we consider that a number of changes are needed to ensure that the plan meets the basic conditions. In particular, we are concerned that the plan does not provide sufficient housing and employment land to meet the Local Plan requirement, and that the prioritisation of previously developed land is inconsistent with national planning policy. We are promoting the land at Widham Farm for a sustainable extension to the north of Purton, which could make a valuable contribution to the supply of housing and employment land.
Representations to Purton Neighbourhood Plan

Regulation 16 Consultation - March 2018

for Wainhomes (Severn Valley) Ltd
Project : 8306
Site address : Widham Farm, Purton.
Client : Wainhomes (Severn Valley) Ltd
Date : 20 March 2018
Author : Teresa Cook
Approved by : Stephen Harris

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Emery Planning Partnership Limited trading as Emery Planning.
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1. **Introduction**

1.1 Emery Planning is instructed to submit representations to the Purton Neighbourhood Plan (hereafter referred to as the ‘PNP’) on behalf of the Wainhomes (South West) Holdings Limited (hereafter referred to as ‘Wainhomes’). Wainhomes have an interest on the land at Widham Farm, Purton, which is located on the northern edge of the village and is bounded by the railway line to the north, the existing urban area to the west and south and Station Road to the east. The site is referenced 442 in the “Purton-Planning for the Future report”. A site location plan is provided at appendix EP1.

1.2 It is clear that the Neighbourhood Plan Team has made significant strides in its production of the Neighbourhood Plan. However, we consider that a number of changes are needed to ensure that the plan meets the basic conditions. In particular, we are concerned that the plan does not provide sufficient housing and employment land to meet the Local Plan requirement, and that the prioritisation of previously developed land is inconsistent with national planning policy. We are promoting the land at Widham Farm for a sustainable extension to the north of Purton, which could make a valuable contribution to the supply of housing and employment land.

1.3 Our detailed representations are set out below, under the following key headings:

2. The Basic Conditions

3. National Planning Policy and Guidance

4. The Development Plan

5. Response to the draft policies

6. Summary and conclusions

2. **The Basic Conditions**

2.1 The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.

c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.

d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

3. National Planning Policy and Guidance

National Planning Policy Framework (NPPF)

3.1 The NPPF was adopted in March 2012. It sets out the Government’s planning policies for England and how these are expected to be applied. The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.

3.2 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development, which is the golden thread running through both plan-making and decision-taking. For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;

- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
• specific policies in this Framework indicate development should be restricted.

3.3 Paragraph 16 states that the application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

• develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;

• plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and

• identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.

3.4 Paragraph 17 identifies that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. All of the principles set out (not repeated here for brevity) are relevant to the neighbourhood plan must be considered.

3.5 Paragraph 47 requires that to boost significantly the supply of housing, local planning authorities should:

• use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

• identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

• identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

• for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and

• set out their own approach to housing density to reflect local circumstances.
3.6 Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

3.7 Paragraph 156 requires local planning authorities to set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

3.8 Paragraph 159 states that local planning authorities should have a clear understanding of housing needs in their area. They should:

- prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:
  - meets household and population projections, taking account of migration and demographic change;
  - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and
  - caters for housing demand and the scale of housing supply necessary to meet this demand;
  - prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
3.9 Paragraph 184 states that Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. [our emphasis]

3.10 Paragraph 198 sets out that where a Neighbourhood Development Order has been made, a planning application is not required for development that is within the terms of the order. Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

**National Planning Practice Guidance (PPG)**

3.11 The PPG was launched in March 2014. It replaced a number of practice guidance documents that were deleted when the PPG was published.

3.12 The Government’s guidance sets out the correct sequence of events in neighbourhood plan preparation at Paragraph: 080 Reference ID: 41-080-20180222. This provides a summary of the key stages in neighbourhood planning (so far as relevant) and the subsequent PPG paragraphs:

“Step 1: Designating neighbourhood area and if appropriate neighbourhood forum

...

Step 2: Preparing a draft neighbourhood plan or Order

Qualifying body develops proposals (advised or assisted by the local planning authority)

- gather baseline information and evidence
- engage and consult those living and working in the neighbourhood area and those with an interest in or affected by the proposals (eg service providers)
- talk to land owners and the development industry
- identify and assess options
- determine whether a plan or an Order is likely to have significant environmental effect
- start to prepare proposals documents eg basic conditions statement

Step 3: Pre-submission publicity & consultation

The qualifying body:
- publicises the draft plan or Order and invites representations
- consults the consultation bodies as appropriate
- sends a copy of the draft plan or Order to the local planning authority
- where European Obligations apply, complies with relevant publicity and consultation requirements
- considers consultation responses and amends plan/Order if appropriate
- prepares consultation statement and other proposal documents

Step 4: Submission of a neighbourhood plan or Order proposal to the local planning authority

- Qualifying body submits the plan or Order proposal to the local planning authority
- Local planning authority checks that submitted proposal complies with all relevant legislation
- If the local planning authority finds that the plan or order meets the legal requirements it:
  - publicises the proposal for minimum 6 weeks and invites representations
  - notifies consultation bodies referred to in the consultation statement
  - appoints an independent examiner (with the agreement of the qualifying body)...."

3.13 Paragraph: 001 Reference ID: 41-001-20140306 What is neighbourhood planning? provides (so far as relevant):

"...Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area."

3.14 Paragraph: 003 Reference ID: 41-003-20140306 What are the benefits to a community of developing a neighbourhood plan or Order? provides:

"...Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next ten, fifteen, twenty years in ways that meet identified local need and make sense for local people. They can put in place planning policies that will help deliver that vision or grant planning permission for the development they want to see...."
3.15 Paragraph: 004 Reference ID: 41-004-20170728 What should a Neighbourhood Plan address? provides:

“...A neighbourhood plan should support the strategic development needs set out in the Local Plan and plan positively to support local development (as outlined in paragraph 16 of the National Planning Policy Framework.”

3.16 Paragraph: 007 Reference ID: 41-007-20170728 What weight can be attached to an emerging neighbourhood plan when determining planning applications? provides:

“...The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals....”

3.17 Paragraph: 009 Reference ID: 41-009-20160211 Can a Neighbourhood Plan come forward before an up-to-date Local Plan is in place? provides:

“...Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- the emerging neighbourhood plan
- the emerging Local Plan
- the adopted development plan

with appropriate regard to national policy and guidance.

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans....”

3.18 Paragraph: 040 Reference ID: 41-040-20160211 What evidence is needed to support a neighbourhood plan or Order? provides:

“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.
A local planning authority should share relevant evidence, including that gathered to support its own plan-making, with a qualifying body. Further details of the type of evidence supporting a Local Plan....”

3.19 Paragraph: 041 Reference ID: 41-041-20140306 How should the policies in a neighbourhood plan be drafted? provides:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”

3.20 Paragraph: 042 Reference ID: 41-042-20170728 Can a neighbourhood plan allocate sites for development? provides:

“A neighbourhood plan can allocate sites for development. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. Guidance on assessing sites and on viability can be found here and here.” [These link to PPG sections on Housing and economic development needs assessment and Viability]

3.21 Paragraph: 043 Reference ID: 41-043-20140306 What if a local planning authority is also intending to allocate sites in the same neighbourhood area? provides:

“If a local planning authority is also intending to allocate sites in the same neighbourhood area the local planning authority should avoid duplicating planning processes that will apply to the neighbourhood area. It should work constructively with a qualifying body to enable a neighbourhood plan to make timely progress. A local planning authority should share evidence with those preparing the neighbourhood plan, in order for example, that every effort can be made to meet identified local need through the neighbourhood planning process.”

3.22 Paragraph: 047 Reference ID: 41-047-20140306 What is the role of the wider community in neighbourhood planning? provides:

“A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order
Is made aware of how their views have informed the draft neighbourhood plan or Order."

3.23 Paragraph: 048 Reference ID: 41-048-20140306 Should other public bodies, landowners and the development industry be involved in preparing a draft neighbourhood plan or Order? provides:

“A qualifying body must consult any of the consultation bodies whose interest it considers may be affected by the draft neighbourhood plan or Order proposal. The consultation bodies are set out in Schedule 1 to the Neighbourhood Planning (General) Regulations 2012 (as amended). Other public bodies, landowners and the development industry should be involved in preparing a draft neighbourhood plan or Order. By doing this qualifying bodies will be better placed to produce plans that provide for sustainable development which benefits the local community whilst avoiding placing unrealistic pressures on the cost and deliverability of that development.”

3.24 Paragraph: 051 Reference ID: 41-051-20150209 Is additional publicity or consultation required where European directives might apply? provides:

“European directives, incorporated into UK law, may apply to a draft neighbourhood plan or Order. Where they do apply a qualifying body must make sure that it also complies with any specific publicity and consultation requirements set out in the relevant legislation. The local planning authority should provide advice on this.

The legislation that may be of particular relevance to neighbourhood planning is:

- the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)
- the Conservation of Habitats and Species Regulations 2010 (as amended)
- the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)

It may be appropriate, and in some cases a requirement, that the statutory environmental bodies Historic England, the Environment Agency and Natural England be consulted.”

3.25 Paragraph: 053 Reference ID: 41-053-20140306 Does the local planning authority consider whether a neighbourhood plan or Order meets the basic conditions when a neighbourhood plan or Order is submitted to it? provides:

“…The local planning authority should provide constructive comments on an emerging plan or Order before it is submitted.”
3.26 Paragraph: 066 Reference ID: 41-066-20140306 When should a qualifying body consider the basic conditions that a neighbourhood plan or Order needs to meet? provides:

"Throughout the process of developing a neighbourhood plan or Order a qualifying body should consider how it will demonstrate that its neighbourhood plan or Order will meet the basic conditions that must be met if the plan or order is to be successful at independent examination. The basic conditions statement is likely to be the main way that a qualifying body can seek to demonstrate to the independent examiner that its draft neighbourhood plan or Order meets the basic conditions. A qualifying body is advised to discuss and share early drafts of its basic conditions statement with the local planning authority."

3.27 Paragraph: 067 Reference ID: 41-067-20140306 What should a local planning authority do to assist a qualifying body in considering the basic conditions? provides:

"A local planning authority should provide constructive comments on the emerging neighbourhood plan or Order proposal prior to submission and discuss the contents of any supporting documents, including the basic conditions statement. If a local planning authority considers that a draft neighbourhood plan or Order may fall short of meeting one or more of the basic conditions they should discuss their concerns with the qualifying body in order that these can be considered before the draft neighbourhood plan or Order is formally submitted to the local planning authority."

4. The Development Plan

4.1 Neighbourhood Plans must be in general conformity with the strategic policies of the wider local area, which in this instance are set out within the Wiltshire Core Strategy.

4.2 The Core Strategy was adopted in January 2015. It sets out strategic policies covering the whole district, including policies relating to the amount and distribution of housing development and accessibility criteria.

4.3 Wiltshire Council is currently reviewing the Wiltshire Core Strategy adopted in January 2015 (to be recast as the Wiltshire Local Plan). However, this work is at a very early stage and will not directly influence the Purton Neighbourhood Plan. Wiltshire Council is also working with Swindon Borough Council to prepare a Swindon and Wiltshire Joint Spatial Framework. The Joint Spatial Framework will guide the overall pattern of development across the wider area of the two councils, setting out a distribution of new jobs, homes and infrastructure. It will provide evidence to inform the councils’ individual local plan reviews. Decisions over detailed site allocations will
be made through the councils’ individual local plan reviews. Again this work is at an early stage although some relevant evidence documents are available. These include the Swindon and Wiltshire Strategic Housing Market Assessment published alongside an Issues Paper in November 2017.

4.4 The following Core Strategy policies are referenced in the Neighbourhood Plan:

4.5 Policy CP1: Settlement Boundary – identifies the settlements where sustainable development will take place. It identifies Purton as a large village. Such settlements have a limited range of employment, services and facilities. Development in these villages will be limited to that needed to help meet housing needs of the settlement and to improve employment opportunities, services and facilities.

4.6 Policy CP2: Delivery Strategy – states that development outside of settlement limits will only be permitted where identified through the Site Allocations Development Plan Document or a neighbourhood plan.

4.7 Policy CP19: Royal Wootton Bassett and Cricklade Community Area - identifies a requirement for 1,455 homes to be built in the Community Area by 2026. Of these, 1,070 are identified for the town of Royal Wootton Bassett while the remaining 385 new homes should be provided in the rural parts of the community area.

4.8 Policy CP34: Employment Land – states that outside the Principal Settlements, Market Towns and Local Service Centres, development will be supported that is required to adapt agricultural enterprises to modern agricultural practices and diversification or for rural based businesses within or adjacent to Large and Small Villages. Proposals will need to be of a scale consistent with the surroundings and not impact on residential amenity. They should also be supported by evidence that they are needed, and have adequate infrastructure.

4.9 Policy CP43: Affordable Housing – this policy identifies a need to deliver 13,000 affordable dwellings during the plan period (1,181 per annum). It splits Wiltshire into two affordable housing areas. Where affordable housing is in most need it requires the provision of at least 40% affordable housing on sites of five or more dwellings. Off-site provision will only be allowed in exceptional circumstances where it can be proven that on-site delivery is not possible.
4.10 Policy CP45: Meeting Wiltshire’s housing needs – seeks to ensure that housing types, tenures and sizes reflects the demonstrable need for the community. The Wiltshire SHMA identifies the housing needs of Wiltshire and variation to this will need to be justified through sound evidence from other credible sources.

4.11 Policy CP48: Supporting Rural Life – sets out circumstances where new housing development would be allowed outside of the development limits to meet the employment needs of rural areas. These include accommodation for rural workers to live in the vicinity of their place of work in the interests of agriculture or forestry.

4.12 Policy CP50: Biodiversity and geodiversity – requires development to protect nature conservation features or mitigate against their loss where this is not achievable. Development should seek opportunities to enhance biodiversity. Damage or disturbance to locally protected sites will generally be unacceptable, other than in exceptional circumstances.

4.13 Policy CP51: Landscape – requires new development to protect, conserve and enhance landscape character. It states that development should be informed by a relevant Landscape Character Assessment. It also sets out a number of aspects of landscape character that development proposals must demonstrate have been conserved;

4.14 Policy CP52: Green Infrastructure – requires development to make provision for the retention and enhancement of Wiltshire’s Green Infrastructure Network. This includes making provision for accessible open space within new development;

4.15 Policy CP57: Design – requires a high standard of design in all new developments. It requires applications for new development to demonstrate how the proposal would make a positive contribution to the character of Wiltshire.

4.16 Policy CP58: Ensuring the Conservation of the Historic Environment – states that development should protect, conserve and where possible enhance the historic environment, including designated and non-designated assets which contribute to local character.

4.17 Policy CP61: Transport and new development - new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives. Contributions will be sought towards sustainable transport
improvements, and travel plans will be required to encourage the use of sustainable transport alternatives and more sustainable freight movements.

4.18 Policy CP64: Demand Management - measures will be promoted where appropriate to reduce reliance on the car and to encourage the use of sustainable transport alternatives. These will include parking management, including for new residential development; traffic management and influencing travel choices.

4.19 Policy CP65: Movement of goods – sets out how the council will seek to achieve a sustainable freight distribution system which makes the most efficient use of road, rail and water networks, including encouraging HGV traffic to use those roads where a minimum of community and environmental impacts will occur.
5. **Response to draft plan**

5.1 It is clear that the Neighbourhood Plan Team has made significant strides in its production of the Neighbourhood Plan.

5.2 Notwithstanding this we consider that a number of changes to specific policies are needed to ensure that the plan meets the basic conditions. We also consider that additional site allocations are needed in order to meet the requirements of the Wiltshire Core Strategy. We address each section in turn below.

5.3 We note that the Neighbourhood Plan period is set to coincide with the plan period of the Wiltshire Core Strategy i.e. until 2026. We are however conscious this leaves only 8 years from now for the new plan to remain in force. Consideration should be given to a longer plan period, especially given the new Local Plan will extend to 2036.

**Employment**

5.4 Purton Policy 1 seeks to enhance the prospects for local employment. It is proposed that undeveloped land at Mopes Lane (identified as part of Purton Brickworks) and Penn Farm Industrial Estate, are to provide opportunities for local employment. We suggest that Map 4 should clarify which is the undeveloped land as well as which is land already in employment use. The Policy would also benefit from re-drafting to separate the clauses referring to new development and those referring to protection of the existing developed sites.

5.5 We welcome the objective of increasing employment in the area. We note that the only opportunities being provided for in the Policy are for those falling within Use Class B1. We consider that this is not in conformity with the Core Strategy Policy CP34 which refers to "rural based businesses" which could fall within any of the ‘employment’ use classes, B1/B2/B8.

5.6 We consider that the locations identified are also not ideal for the types of enterprises that are referenced in the draft Policy. Existing occupiers at Mopes Lane include a waste transfer/recycling station and a specialist industrial coatings supplier. At Penn Farm there is a vehicle repair garage. B1 uses which include offices, research and development of products and processes, light industry are appropriate within a residential area and uses such as those listed within the policy in particular are likely to seek locations with a lower incidence of disturbance from neighbouring activities. A more appropriate site for these B1 uses can also be
considered as part of the proposed development at Widham Farm and our client would be willing to work with the Parish Council to progress such an opportunity.

5.7 The draft Policy also requires that access to the Penn Farm site should be taken from Mopes Lane. We would question the financial viability and therefore deliverability of the site with the requirement for a new access lane given that the developable area available is stated to amount to 0.13 Ha. The requirement that a new access lane is provided to release the Penn Farm site is stated to reflect a lack of capacity for New Road to accommodate additional commercial traffic. We have not located any evidence to support the stated lack of highway capacity.

5.8 We therefore consider that Purton Policy 1 fails to meet the basic conditions for Neighbourhood Plans, specifically with respect to conditions d and e.

Transport

5.9 Paragraph 3.8, bullet point 3 refers to a pedestrian footpath being sought across the Swindon to Gloucester railway line. Our client’s land has a significant frontage onto the railway line, as well as having boundaries to both the existing urban area at Witts Lane and Station Road. As a result, our client will be willing to look at the feasibility of helping to facilitate a pedestrian crossing providing links through the urban area or from Station Road across to the opposite site of the railway line to access the industrial sites at The Brickworks and Penn Farm.

5.10 Purton Policy 3 requires new development to provide links to existing pedestrian routes where appropriate. Development at Widham Farm would incorporate the existing PROW provision within the site and which connect with the existing network, and would also create new links between existing routes.

Environment

5.11 Purton Policy 4 states that ecological enhancements should be implemented as part of proposed developments to work towards a net gain in biodiversity, in line with Core Policy 51. CP51 is concerned with Landscape character while Core Policy 50 addresses matters of biodiversity so Purton Policy 4 should reference CP50. However, we suggest that the policy should be omitted as it repeats provision made in other relevant policy and fails to meet the guidance (NPPG Reference ID: 41-041-20140306) that Neighbourhood Plan policies should be:
“concise, precise and supported by appropriate evidence. It should be
distinct to reflect and respond to the unique characteristics and planning
context of the specific neighbourhood area for which it has been prepared”.

5.12 Purton Policy 5 allocates an area identified on Map 5, as open space to be retained to protect
locally important views to and from the escarpments to the north of the village. We note that
the site at Widham Farm does not lie within the allocated area and support this status which is in
line with the Inspector’s conclusions set out in her decision on Appeal reference
APP/Y3940/A/11/2165449.

5.13 However, we do note that the proposed designation of the key local landscape and the level
of protection set out in Purton Policy 5 is not supported by a robust evidence base. The
justification text for the policy references the Parish Plan as the source for identifying the locally
important views. Photoviews have been provided at Annex 12 of the ‘Planning for the Future’
document which identify key features. However, it does not appear that any specific
Landscape Assessment has taken place. Whilst the supporting text states that “Purton Parish
Plan identified the need to protect these magnificent views and reduce the impact of
development on the visually-sensitive skyline at the top of the village” this is not an informed
assessment, nor necessarily representative of the total population.

5.14 Without the evidence base required, the policy approach to creating a new landscape
designation does not have regard to the Framework, in particular, paragraph 113 which
requires distinction between the hierarchy of designated landscape areas, so that protection is
commensurate with their status.

5.15 We therefore consider that Purton Policy 5 fails to meet the basic conditions for Neighbourhood
Plans, specifically with respect to condition a.

5.16 Purton Policy 6 aims to retain land between the eastern boundary of Purton and the western
edge of Swindon as open countryside to retain the rural quality and value of Purton, Purton
Stoke, The Fox and Hayes Knoll. We note that the site at Widham Farm does not lie within the
area described in the policy and we support the conclusion that development of this site would
not therefore result in any detrimental impact on the rural character or identity of the identified
settlements.

5.17 Purton Policy 7 refers to land adjoining the Swindon to Gloucester railway line as being prone to
flooding. The draft policy requires that proposals for development on this land demonstrate how
mitigation will prevent flooding of this land. The policy references a flood area shown on Map 6 and states that part of Widham Farm is included in this area prone to flooding. The proposals for development at Widham Farm exclude the area identified by the red arrow on Map 6 and determination of the earlier application concluded that flood risk was not a constraint to the proposed development.

Facilities

5.18 The table prior to paragraph 3.12 sets out the objectives for facilities in the village. We note that these include protecting and where possible, enhancing facilities for elderly people who wish to remain in the village. We therefore take note of Purton Policy 9 with regard to facilities for the elderly and land being identified for the provision of supported living accommodation for elderly people. The site at Widham Farm provides the council with an opportunity for an early delivery of dwellings to meet this specific need.

Housing

5.19 We note that the need for new homes is set out in the accompanying document ‘Purton – Planning for the Future’ and is based on a simple projection of past trends in population change. The Plan proposes that ‘a minimum of 94 new homes will be needed between 2016 and 2026.

5.20 In adopting a housing requirement derived solely from a trend based, net change in population the Plan fails to comply with the approach for establishing the housing requirement set out in the current PPG as it fails to move beyond the ‘starting point’ for assessing the housing requirement.

5.21 The recent draft Planning Practice Guidance update on Local Housing Need Assessment, published in March 2018 set out the Government’s proposals for a standardised approach to assessing housing requirements.

5.22 While the guidance is not yet adopted, it is useful to note that the proposed approach uses the National Household Projections as the starting point, but then makes an adjustment to take account of market signals, based on the affordability of homes. The affordability is calculated by reference to median houseprices and median workplace earnings. The guidance then notes that:
“Plan-making authorities should not apply constraints to the overall assessment of need. Limitations including supply of land, capacity of housing markets, viability, infrastructure, Green Belt or environmental designations, are considerations when assessing how to meet need. These types of considerations are not relevant to assessing the scale of that need.”

5.23 The draft PPC revisions also address housing requirements for Neighbourhood Plan areas. It states:

“Ideally, local planning authorities should set housing requirement figures for designated neighbourhood areas as part of their strategic policies. However, it may be necessary for indicative housing requirement figures to be produced (for example where the strategic and neighbourhood plan production timescales don’t align or new evidence of housing need is available).”

5.24 The draft guidance continues to state that:

“where a local authority’s strategic policies do not include a housing requirement for a particular neighbourhood area.............then the neighbourhood planning group may need to determine a housing requirement figure for the designated neighbourhood area. The latest neighbourhood planning toolkit on housing needs assessment may be used to provide the requirement.”

5.25 The approach to the assessment of housing need provided in support of the Neighbourhood Plan falls within the minimum scope of assessment set out in the neighbourhood planning toolkit. It fails to consider the affordability of housing in the parish, how affordable housing need forms part of the overall need and it relies upon the results of a housing needs survey from 2011 to guide the policy on the range of housing sizes needed.

5.26 The recent Swindon and Wiltshire SHMA is also relevant to the assessment of need for Purton. Purton falls within a new Housing Market Area serving Swindon and the surrounding area. The Housing Market Area profile published in support of the work on the preparation of the Joint Spatial Strategy for Swindon and Wiltshire states that:

“monitoring shows that whereas completions in the urban area are in line with the Local Plan trajectory, completions on the urban extensions are significantly less than anticipated. (1,991 compared to 4,023). This shortfall has impacted on the supply of houses to the extent the Council cannot presently demonstrate a five-year supply of housing.”

5.27 A key issue identified for the HMA and the emerging Local Plan is therefore how short-term delivery of housing land can be achieved while the larger, more complex urban extensions
come forward. The availability of sites such as Widham Farm should be considered as part of the solution to the shortfall in housing supply within the HMA.

5.28 The Neighbourhood Plan references a need for affordable housing, houses for first time buyers, smaller properties for those who wish to downsize and also properties suitable for older persons, including bungalows. It states that this need is identified in the Parish Plan (2014) and the Housing Needs survey from January 2012.

5.29 The Parish Plan states (page 45) that 34% of residents identified such a need for affordable housing and low cost housing for first time buyers. The Housing Needs survey identified that just over 12% of the parish’s housing stock was ‘affordable housing’ much lower than Wiltshire’s average of 19.2%. In order to address the need for affordable housing, there is a strong case for providing for some more market housing in the village, which would enable delivery of more affordable housing alongside it. The Wiltshire Core Strategy Policy 43 identifies 2 zones across the plan area for the provision of affordable housing. Purton falls within the zone where 40% of new housing development over 5 units (now modified to a threshold of 10 units) would need to be ‘affordable housing’. Even if all of the provision identified in the draft Plan was to be within the site size threshold this would yield some 38 affordable units. Based on a total number of households currently (Parish Plan) of 1,701 and 12% being affordable housing this would represent an increase in the level of affordable housing to some 13.3% (of a total of 1,795 households), still much lower than the Wiltshire average. This suggests that there is a case for an increase in the housing requirement to assist in bringing forward more affordable housing.

5.30 As the council will be aware, it is critical that the Neighbourhood Plan is in general conformity with the strategic policies in the Wiltshire Core Strategy. However, it is also the case that Neighbourhood Plans are seen by the Government as a means of providing a significant boost to housing land supply across the country.

5.31 The stated aim/objective of ensuring that brownfield sites well related to the villages are prioritised over green field development is inconsistent with the Framework, which seeks to ‘encourage’ rather than ‘prioritise’ the development of previously developed land. The issue has arisen in numerous Local Plan examinations, but is probably best summarised in the Secretary of State appeal decision for Burgess Farm, Salford, which was issued shortly following the publication of the Framework (appeal ref: APP/U4230/A/11/2157433). Paragraph 14 of the decision letter clarifies the Secretary of State’s position:
“He gives less weight to the sequential approach to release of sites. National planning policy in the framework encourages the use of previously developed land, but does not promote a sequential approach to land use. It stresses the importance of achieving sustainable development to meet identified needs.”

5.32 Clearly sites need to be viable and of a sufficient scale to address the identified needs for market and affordable housing.

5.33 While the draft NPPF published in March 2018 (paragraph 118c) proposes to alter the position set out currently such that “substantial weight” be given to the value of using suitable brownfield land within settlements, it still does not extend towards an exclusively sequential approach to site selection and development.

5.34 There are a number of aims and objectives set out in the plan with respect to Housing, with the goals being to provide existing and future residents with the opportunity to live in a decent home that meets their need and to retain the rural and historic character of the villages. We have considered each of the aims and objectives.

5.35 We would question the merit in setting a maximum size for all developments to be smaller than 40 dwellings. Clearly if there are opportunities for sustainable developments for a greater number of dwellings, which can provide significant benefits for the local community, then these should be considered, particularly where they would be a logical extension to the village. We consider that this is the case with respect to the site at Widham Farm, which would address many of the issues raised with respect to the provision of housing.

5.36 The site at Widham Farm has been the subject of planning applications and an appeal decision. It is clear that the only issue with the appeal was the issue of a five-year land supply. There were no environmental or technical issues with regard to the site which were used to refuse planning permission. With respect to flooding, the Inspector concluded at paragraph 124 of her decision:

“These outcomes and maintenance of the proposed drainage system could be ensured by imposing conditions tying the permission to the Flood Risk Assessment and setting out requirements for drainage, floor levels, landscaping and the surface water management pond. The development would not reduce the risk of flooding so as to provide a benefit which would tip the balance in favour of a grant of permission. However, it would not add to the local flood risk so that the appeal could be dismissed on this ground”
5.37 With respect to highways and traffic, she found (paragraph 126):

"Nevertheless, I agree with the appellant and the Council that the roads in Purton are not used to capacity and could accommodate cumulative traffic from the proposed and nearby housing. The development would be unlikely to cause unacceptable traffic problems or loss of highway safety."

5.38 With respect to environment, heritage and design the findings were:

"The proposed development would be laid out to retain sufficient space around Widham Grove and Widham Farmhouse so as to preserve the setting of both listed buildings. Subject to provision of the ecological pond and suitable vegetation, the proposed housing would cause no unacceptable harm to any protected species. Whether the development would have an acceptable design and impact on nearby properties would be properly considered at reserved matters stage."

5.39 Therefore we welcome acknowledgement through the Neighbourhood Plan that there is a need for sites to come forward within and adjoining the village. Widham Farm should now be considered as a site for housing.

**Purton Policy 13: Development Principles**

5.40 The Policy identifies sites to deliver ‘approximately’ 75 homes in Purton. To fully reflect the Core Strategy, the policy should be expressed as a net figure, and also as a minimum.

5.41 The proposed approach to delivering housing within the settlement boundaries is also inconsistent with the Framework's requirement to maintain a 5 year supply of housing land. There is no mechanism identified to monitor the delivery of housing, no trajectory assumed for delivery, and therefore no provision for addressing any shortfall in delivery that occurs.

5.42 Purton Policy 12 identifies a number of sites within the settlement boundary for development for housing (shown on Map 11). The deliverability of these sites is important, but it is also crucial that developments deliver what the village needs with regard to size and types of homes, affordable homes for the elderly and lifetime homes. We question the delivery of a number of these sites, many of which have been available for some time and have not been progressed which raises doubts as to their viability. A number will also impact on the heritage assets of the village. They are also not of a scale which can deliver the aims and objectives of the plan, for example, in terms of achieving an appropriate housing mix.
5.43 We therefore object to the policy as drafted as it fails to meet the basic conditions for Neighbourhood Plans, specifically conditions a, d and e.

**Purton Policy 14 Development outside the Settlement Boundary at Restrop Road**

5.44 Purton Policy 14 (Development outside the Settlement Boundary) applies to land identified on Map 12 as an area of search for the provision of up to 40 smaller homes, including affordable housing, houses for first time buyers, smaller properties for those who wish to downsize and also properties suited to older persons, including bungalows. The policy sets out a number of constraints with regard to this site including the impact on historic assets (Ringsbury Camp Scheduled Monument and the Grade II* Restrop House). We note that there is a current application on part of this site and that the Parish Council and Neighbourhood Planning Group have objected to it. One of the stated concerns is that the applicant has not engaged with the Neighbourhood Plan Group and that the application does not conform to the emerging neighbourhood plan.

5.45 The site has been identified as the most appropriate to accommodate further housing development for the village as the result of a site assessment exercise using scores against various ranked criteria.

5.46 In our view the correct approach to development outside the settlement boundary is to apply the presumption in favour of sustainable development set out within the Framework i.e. planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.47 In our view, numerical ranking exercises, which are not based upon specific schemes or mitigation, are not an adequate replacement for the traditional planning balance exercise. If there is a shortfall in housing land supply, applications need to be considered on their own merits, having regard to their compliance with the development plan and any other material considerations. The site assessments may be a material consideration, but the policy should not exclude other sustainable developments being brought forward to address an acknowledged need.

5.48 We note in particular the assessment of Widham Farm on pages 48 to 50 of the report titled Purton – Planning for the Future (December 2017). The site is assessed against 24 criteria and
given a rating against each. As set out earlier, the site has previously been assessed against many of these criteria and in each case they were not found to be a constraint on development. The scoring of the site on page 46 is not correct and underplays the positive contribution that development of this site would make to Purton. We discuss the over-reliance on distances to individual facilities further below. However, the scoring for potential community enhancements, impact on heritage, landscape (view) impact, and flooding should all be increased to the maximum score as all of the negative aspects identified in the commentary to support the lower scoring will be avoided, mitigated or improved as a result of the proposed development layout.

5.49 Of the 24 criteria listed, 16 relate to the distance of a site from a named facility which we consider places a disproportionate emphasis on locational aspects of sustainability, contrary to the approach adopted more widely when considering development which can support rural settlements and communities. The application of the three strands to sustainability (economic, social and environmental) seeks to ensure that a broad assessment is made. One of the Core planning principles set out in the NPPF is to focus significant development in locations which are or can be made sustainable (our emphasis). Paragraph 55 recognises that development in one village may even support services in a separate village.

5.50 More specifically, some of these criteria are of limited relevance to many residents (access to a vet) and some in effect duplicate the same measure (e.g. distance to Village Hall and Library, distance to alternative public houses) which, despite the weighting which we acknowledge is used to balance some of the other criteria, again over states the importance of distance to a facility in determining sustainability (or resilience) of the sites being considered.

5.51 Section 4.4 of Manual for Streets describes the characteristics of a walkable neighbourhood as follows:

“Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes’ (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS13 states that walking offers the greatest potential to replace short car trips, particularly those under 2 km. MFS encourages a reduction in the need to travel by car through the creation of mixed-use neighbourhoods with interconnected street patterns, where daily needs are within walking distance of most residents.”

5.52 Therefore the assessment should reflect the above criteria to assess accessibility.
5.53 The inspector for the appeal against refusal of the application at Widham Farm stated that “the site is within walking or cycling distance of amenities in the settlement, including a primary and a secondary school, a library, convenience store and new post office”. Indeed, at the 2012 inquiry the Council conceded that “there is no land available for development within Purton which is more sustainable than the appeal site”. Therefore the site is accessible and sustainable.

5.54 We suggest that the appraisal scoring criteria be recast and sites reassessed to reflect these guidelines.

5.55 We therefore object to the policy as drafted as it fails to meet the basic conditions for Neighbourhood Plans, specifically conditions a, d and e.

6. Conclusion

6.1 We note that work has been undertaken to get the Neighbourhood Plan to the current stage. We also note that there are a number of specific aims and objectives that our clients land could deliver going forward, these being:

- meeting homes with local need, including affordable homes and the elderly;
- the provision of employment land for B1 use; and,
- the potential for a pedestrian link between Purton and the northern side of the railway line.

6.2 Therefore, we object to the failure to allocate the site at Widham Farm for development in the Draft Neighbourhood Plan.

7. Appendices

   EP1. Location Plan for Widham Farm
APPENDIX EP1
I am writing to confirm my support for the Purton Neighbourhood Plan. In my opinion this plan has been fully researched and reviewed. It covers all the known points required to take the plan forward and install it as a working document that can be used to enhance Purton.
To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 5: To protect key local landscapes

Comment

This policy is seeking to allocate a large swathe of land as open space to remain undeveloped whilst protecting locally important views. This makes up an extensive area of land around Purton upon which development will be restricted. Having considered the evidence supporting the allocation of this area as open space with the preservation of these locally important views Gladman does not consider this evidence to be sufficiently robust or proportionate to warrant such a restriction. PPG is clear that evidence to support policies of a plan should be proportionate and robust to support the choices made. Gladman contend that there has been insufficient evidence produced to demonstrate why each of the locally important views has been identified. For a view to be protected in such a manner there should be a demonstrable physical attribute that elevates its importance above being a nice area of undeveloped countryside. Inclusion of this policy would restrict otherwise sustainable development in this area and as such does not meet basic conditions (a) and (d) and should be deleted. Further, the policy map lacks clarity as many of the locally important views seem to point towards the centre of surrounding fields within the parish which it is unclear if these views are publically accessible.
To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 6: Settlement Identity

Comment

This policy is seeking to implement what is essentially a strategic gap between the Swindon urban area and the settlements within the neighbourhood plan area. There is no such strategic gap within the Wiltshire Core Strategy and it is considered that this is trying to introduce a strategic policy, beyond the remit of neighbourhood plans.

Gladman submit that new development can often be located in countryside gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. In such circumstances, we would question the purpose of the proposed gap designations, particularly if this would prevent the development of otherwise sustainable and deliverable housing sites to meet the Council's housing needs. Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded.
To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 14: Development outside settlement boundary

Comment

Whilst supporting the decision to allocate a site for development beyond the settlement boundary, Gladman suggest that this policy would benefit from a more flexible approach to further development beyond the settlement boundary. As currently worded, the policies of the plan would suggest that no further development beyond the allocated area of search and areas identified within the settlement boundary would be supported.

This does not accord with the Framework which seeks to support sustainable development in rural areas which seeks to enhance or maintain the vitality of rural communities. Gladman suggest a more permissive approach is taken with wording added to the policy which sets out support for demonstrably sustainable development adjacent to the settlement boundary.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

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Comment

Conclusions

Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the PNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic condition (a). The plan does not conform with national policy and guidance. Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.
Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission version of the Purton Neighbourhood Plan (PNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy.

Legal Requirements

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the PNP must meet are as follows:

(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.
(b) The making of the order contributes to the achievement of sustainable development.
(c) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
(d) The making of the order does not breach, and is otherwise compatible with, EU obligations.

National Planning Policy Framework and Planning Practice Guidance

The National Planning Policy Framework (the Framework) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account of the latest and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.
The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

**Planning Practice Guidance**

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.

On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.

Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is with that in mind that Gladman has reservations regarding the PNP’s ability to meet basic condition (a) and this will be discussed in greater detail throughout this response.

**Relationship to Local Plan**

The current adopted plan that covers the Purton Neighbourhood Plan area and the development plan which the PNP will be tested against is the Wiltshire Core Strategy, adopted in January 2015. This plan sets the overarching spatial strategy for Wiltshire and covers the period 2011 to 2026.

Within this plan Purton is designated as a large village with a limited range of employment, services and facilities. Development in these settlements will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.
Wiltshire Council has commenced work on a review of the Core Strategy, which will be recast as the Wiltshire Local Plan extending the plan period to 2036, as well as a Joint Spatial Framework with Swindon. Therefore, the policies of the PNP should ensure they are drafted as flexibly as possible to avoid any potential conflicts with the emerging documents. This would help to ensure longevity of the PNP’s policies and avoid any conflicting policies being superseded under Section 38(5) of the Planning and Compulsory Purchase Act 2004.

**Purton Neighbourhood Plan**

This section highlights the key issues that Gladman would like to raise with regards to the content of the PNP as currently proposed. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of alternative options that should be explored prior to the Plan being submitted for Independent Examination.

Gladman previously submitted representations to the Regulation 14 consultation and whilst welcoming that some changes have been made are disappointed that our comments have not been considered further. Gladman therefore take this opportunity to reiterate many comments made in response to the Regulation 14 consultation.

**Policy 5: To protect key local landscapes**

This policy is seeking to allocate a large swathe of land as open space to remain undeveloped whilst protecting locally important views. This makes up an extensive area of land around Purton upon which development will be restricted. Having considered the evidence supporting the allocation of this area as open space with the preservation of these locally important views Gladman does not consider this evidence to be sufficiently robust or proportionate to warrant such a restriction. PPG is clear that evidence to support policies of a plan should be proportionate and robust to support the choices made.

Gladman contend that there has been insufficient evidence produced to demonstrate why each of the locally important views has been identified. For a view to be protected in such a manner there should be a demonstrable physical attribute that elevates its importance above being a nice area of undeveloped countryside. Inclusion of this policy would restrict otherwise sustainable development in this area and as such does not meet basic conditions (a) and (d) and should be deleted. Further, the policy map lacks clarity as many of the locally important views seem to point towards the centre of surrounding fields within the parish which it is unclear if these views are publically accessible.

**Policy 6: Settlement Identity**

This policy is seeking to implement what is essentially a strategic gap between the Swindon urban area and the settlements within the neighbourhood plan area. There is no such strategic gap within the Wiltshire Core Strategy and it is considered that this is trying to introduce a strategic policy, beyond the remit of neighbourhood plans.

Gladman submit that new development can often be located in countryside gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. In such circumstances, we would question the purpose of the proposed gap designations, particularly if this would prevent the development of otherwise sustainable and deliverable housing sites to meet the Council’s housing needs. Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded.
Policy 14: Development outside settlement boundary

Whilst supporting the decision to allocate a site for development beyond the settlement boundary Gladman suggest that this policy would benefit from a more flexible approach to further development beyond the settlement boundary. As currently worded the policies of the plan would suggest that no further development beyond the allocated area of search and areas identified within the settlement boundary would be supported. This does not accord with the Framework which seeks to support sustainable development in rural areas which seeks to enhance or maintain the vitality of rural communities. Gladman suggest a more permissive approach is taken with wording added to the policy which sets out support for demonstrably sustainable development adjacent to the settlement boundary.

Conclusions

Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the PNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic condition (a). The plan does not conform with national policy and guidance. Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours faithfully,

Gladman Developments Ltd.
<table>
<thead>
<tr>
<th>Comment ID</th>
<th>35</th>
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Clearly a lot of good work has been put into this by local residents
Policies appear reasonable and fair allowing for sustainable growth whilst maintaining the overall character of the village
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

To which part of the Purton Neighbourhood Plan does your comment relate?

Page 24, Paragraph 3.11, Policy 5

Comment

Purton Policy 5: To protect key local landscapes – evidence base

The Regulation 16 Purton Neighbourhood Plan consultation document (Reg16 PNP) has included my clients site, land to the rear of Jewels Ash, Witts Lane, as lying within an area that is sensitive to views – as shown in Map 5 Key Local Landscapes. Objection is raised to this matter and a Landscape and Visual Analysis Assessment to support the objection is attached at Appendix 1.

Previous representations on landscape matters submitted to the Regulation 14 consultation can be provided to the Examiner on request.

It remains unclear from the wording of the Policy 5 whether it seeks to protect the area shaded green in ‘Map 5 – Key Local Landscapes’ because of its intrinsic landscape value or because of the views that are achieved from the village over the adjoining countryside and from the countryside back towards the village.

Paragraph 3.4 of the Reg16 PNP states that the Core Policy 51 of the Wiltshire Core Strategy (WCS) is to be augmented by the Environment policies of the Reg 16 PNP. Paragraph 3.9 of the Environment objectives of the Reg 16 PNP states at Bullet point 3;

‘To protect and conserve the key sensitive landscape and views around the village’.

Core Policy 51 of the adopted Wiltshire Core Strategy (2015) was supported by evidence that was subject to examination through the Local Plan Examination Hearing process in accordance with national planning policy guidance contained in the National Planning Policy Framework (NPPF).

Paragraph 113 of the NPPF states that;

‘Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks’.
Paragraph 115 of the NPPF states that;

‘Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest protection in relation to landscape and scenic beauty…..’

The adopted Wiltshire Core Strategy Policies Map for the Royal Wootton Bassett and Cricklade Community Area does not afford the countryside to the north of Purton any landscape protection by way of a formal landscape constraint designation.

Paragraph 6.80 of the Wiltshire Core Strategy, which supports ‘Policy 51 – Landscape’, states that the North Wiltshire Landscape Character Assessment (2004) will be used to support Policy 51 until it is replaced by the emerging Wiltshire Landscape Strategy (which the Council have confirmed is yet to be published).

The North Wiltshire Landscape Character Assessment shows at Figure 4 that Purton Village is situated within the Swindon Fringe Area and Figure 3 identifies the village as being situated within the Urban Fringe Scarp landscape character type.

The document provides guidance on a landscape management strategy and landscape sensitivity for the area but does not categorically define key views or areas to be particularly protected.

Paragraph 6.81 of the WCS states that other relevant assessments would also include local studies approved by the Council eg: village design statements or Parish Plans.

The Purton Parish Plan (2014) refers to Distinctive Landscapes at p.49 and the role the Neighbourhood Plan will play in protecting views from the ‘the visually sensitive skyline at the top of the village’. The evidence base supporting the Parish Plan is likely to have been the same as that supporting the WCS i.e: The North Wiltshire Landscape Character Assessment (2004).

Paragraph 6.85 of the WCS states that the need to protect the distinct character and identity of villages in the County, particularly in the Royal Wootton Bassett and Cricklade Community Area adjoining the administrative area of Swindon may be considered further by communities through a neighbourhood plan.

However, given that the Reg 16 PNP will become part of the Development Plan (and therefore used for the determination of planning applications) it is submitted that the designation of the landscape and views to be protected by the neighbourhood plan remain unsupported by independent up to date evidence in the form of a landscape characterisation and sensitivity analysis for land to the north of the village.

The national planning practice guidance states the following at Paragraph 001 Ref ID: 8-001-2014-0306;

‘Where appropriate, landscape character assessments should be prepared to complement Natural England’s National Character Area profiles. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help inform, plan and manage change and may be undertaken at a scale appropriate to local and neighbourhood planning-making.’

Such a study would enable the Neighbourhood Plan (and the local planning authority in decision making) to identify those land parcels most sensitive to future development and those areas where development, or development subject to mitigation would be acceptable.

Currently the Neighbourhood Plan effectively places a blanket veto on any development to the north and west of the village for the plan period up to 2026 without substantive and up to date evidence to justify this position.

To support this representation a Landscape and Visual Analysis Assessment is attached at Appendix 1. The Assessment considers the comments made in the Purton Regulation 14 Consultation Statement (Dec 2017) and assesses the evidence put forward by the Neighbourhood Plan for Purton Policy 5 in the ‘Purton Planning for the Future’ document.

In summary, and to aid the Examiner, the main conclusions of Appendix 1 are provided below;

1. The site is not subject to any national or local landscape designations
2. With regard to the ‘Sensitive View’ to and from the site, identified on Map 5 of the PNP, Appendix 1 demonstrates that potential development of the Study Area would not have a significant effect on the existing views to and from the elevated areas of land around Purton. The lower lying nature
of the Study Area’s topography and the extent of its visual and physical containment by existing residential development within the settlement of Purton and visual and physical containment provided by the substantial woodland buffer along much of its southern and western edges, means that should the site come forward for residential development, there would be no significant effect on the quality of the views to and from the Purton escarpment.

3. Any development masterplan for the site would carefully consider the layout of public open spaces, footpaths and the location of proposed properties. It would be set within a comprehensive landscape framework, such that the development would sit comfortably within its existing context and would not compromise the existing qualities of the views towards the site.

4. There is no obvious rationale for the site to be included within either the open space allocation as set out within the PNP or within a Sensitive View. Given the analysis contained within this report, we consider that the site does not contribute to the stated aims of ‘Purton Policy 5 – To Protect local landscapes’, namely the preservation of locally important views both to and from the escarpments to the north of Purton. We therefore contend that the Study Area should therefore be excluded from proposed open space allocation and that the ‘Sensitive View’ annotation be removed from the site.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

To which part of the Purton Neighbourhood Plan does your comment relate?

Page 34, Paragraph 3.15, Policy 13

Comment

Purton Policy 13 – Development Principles

Hannick welcome the positive approach adopted by the Reg 16 PNP in allocating sites for development within the current settlement boundary however the concerns raised previously to the Reg 14 consultation with regard to deliverability of the brownfield sites identified are re-iterated. The previous representations can be provided to the Examiner on request.

The Reg 16 PNP states that it has used the Wiltshire SHELAA (2017) as the evidence base to support its preparation, however reference to this document demonstrates that none of the four brownfield SHELAA sites allocated are considered to be ‘deliverable’. The extracts relating to the sites from the SHELAA are attached at Appendix 2. Two allocated brownfield sites do not appear in the SHELAA, these are Land at North View and the Former Youth Centre.

The Locality ‘Site Assessment for Neighbourhood Plans’ (2015) document states that;

‘Allocating sites is one of the most powerful, but also the most controversial aspects of neighbourhood planning. Groups should expect challenge and controversy but there are also many benefits, including bringing forward sustainable development to meet local needs and providing new infrastructure and services for the benefit of the community’. (p.4)

The Locality document also states at p.6 that it should be demonstrated that sites allocated in neighbourhood plans are ‘deliverable’ ie: suitable, available and economically viable in accordance with the NPPF Footnote 11 definition. In this instance given the plan period is only up to 2026 it is strongly recommended to the Examiner that the neighbourhood plan provides adequate evidence to demonstrate that all proposed allocations are ‘deliverable’.

The national planning practice guidance provides links to guidance on assessing site viability at Paragraph: 042 Reference ID: 41-042-20170728.

Two of the allocated brownfield sites benefit from extant permissions; the collection of sites known as Site 3316 ‘Sites in Dogridge’ are acknowledged to benefit from two planning permissions by social housing provider Green Square to provide 8 flats and 2 bungalows (16/07507/FUL and 15/12164/FUL);
and Land at North View benefits from an extant permission for 11 dwellings with no affordable housing contribution on the grounds of viability (16/10143/FUL) and as a consequence are considered deliverable.

However, the remaining Sites 66; 91; 3318 and the Former Youth Centre experience constraints that could affect viability and therefore their deliverability within the plan period.

Site 66 is particularly constrained by heritage assets, Tree Preservation Orders, existing structures and the impact that any new development at the site may have on 'the visually sensitive skyline at the top of the village'.

Site 3318 comprises 25 existing dwellings, its redevelopment may not result in a net gain of new homes.

The ‘Purton – Planning for the Future (2017)’ document does not provide commentary on site deliverability as part of its site analysis, it is submitted therefore that it is not NPPF compliant for the purpose of site allocation.

Despite the comparative site assessment in the evidence base ‘Purton Planning for the Future (Dec 2017)’ (Appendix 8) identifying the brownfield sites as more sustainable than most of the green field sites assessed, it is considered that that owing to other development constraints, the brownfield sites may not yield the quantum of development envisaged by the neighbourhood plan within the plan period up to 2026.

My clients site, 1120, Land to the rear of Jewels Ash is suitable, available and achievable in the Wilts SHELAA (2017) and acknowledged to be deliverable within the first five years of the plan.

In order to be certain over the delivery of the quanta of development envisaged by the Reg 16 PNP in the plan period (ie:94 dwellings) additional land should be allocated where the local authorities evidence base, the Wiltshire SHELAA (2017), ascribes certainty to delivery.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

To which part of the Purton Neighbourhood Plan does your comment relate?

Page 37, Paragraph 3.15, Policy 14

Policy 14 – Development outside the Settlement boundary at Restrop Road

For the reasons described above under Policy 13 it is submitted that if the Reg 16 PNP is to secure the delivery of 94 additional dwellings in the plan period – ie: before 2026, that it will be necessary to allocate more than the 40 dwellings outside the current settlement boundary at Restrop Road owing to uncertainties over the deliverability of the brownfield sites allocated in Policy 13.

Site 1120, Land to the rear of Jewels Ash is suitable, available and achievable in the Wilts SHELAA (2017) and acknowledged to be deliverable within the first five years of the plan.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 39
Response Date 20/03/18 15:22
Status Processed
Submission Type Email
Version 0.2
Files Reps 36-40 Appendix 1.pdf
Reps 36-40 Appendix 2.pdf

To which part of the Purton Neighbourhood Plan does your comment relate?

Evidence Base Document
Purton Planning for the Future (Dec 2017)

Comment

Purton - Planning for the Future (Dec 2017)

Comments are made with regard to this document in as far as they relate to Site 1120: Land rear of Jewels Ash. The comments made to the Regulation 14 consultation can be provided to the Examiner on request.

The adjustment that has been made to the consideration of the site at Annex 8 with regard to flood risk, further to representations made to the Reg 14 consultation in August 2017 is welcomed however the following points are still raised with regard to the scoring afforded to the site:

1 The representation submitted to the Reg 14 PNP with regard to transparency over the methodology for scoring for distances measured to services and facilities remains to be addressed. The industry standard for measuring distances is from the centre of a site (comprising a rectangle encompassing all vertices of the site). The methodology employed for walking distances in Purton - Planning for the Future (Dec 2017) has not been published.

2 The document states that all sites have been considered against information contained in the Draft Wiltshire SHLAA 2015, however the evidence submitted by my client to the Reg 14 PNP in August 2017 updated that available in the Draft Wiltshire SHLAA 2015.

3 The updated evidence related to the following matters;
   - The site area being promoted
   - The vehicular access into the site
   - The quanta of dwellings to come forward at the site
   - The biodiversity constraints at the site
   - The potential community benefits of the proposed development
   - The accessibility of the site to community facilities
This updated evidence has not been taken into consideration for the purpose of the updated Purton - Planning for the Future (Dec 2017) evidence base document. The implications of the non-inclusion of the newly submitted evidence are described below.

The site shown in yellow at p.64 of Purton - Planning for the Future (Dec 2017) does not include the proposed access into the site between 1 and 3 Witts Lane submitted as Appendix 5 to the Reg 14 PNP consultation and illustrated in the technical drawings submitted.

This has resulted in miscalculation of the site with regard to ‘safe access’ – which only scores ‘1’ in the evidence base despite my client demonstrating with technical drawings that adequate access into the site can be achieved from the local highway network.

The document states at p.65 that the site has potential for 97 houses but representations made to the Reg 14 PNP stated that my client only intends to deliver up to 40 dwellings at the site with the southern part of the site being retained for community benefit purposes, with a total site area being promoted of 3.3ha.

Additional traffic generation from 40 dwellings would be less than half that from 97 dwellings so it is considered that the comments made in Purton - Planning for the Future (Dec 2017) with regard to access and impact on the local highway network do not accurately reflect the Reg 14 PNP representations submitted on behalf of my client.

With regard to biodiversity there are no known biodiversity constraints for Site 1120 so it is not clear why the site is marked down other than the anecdotal evidence provided that ‘deer visit the site’. Deer are not a European Protected Species and therefore are not afforded the same considerations as other protected species eg: Great Crested Newts or bats.

Representations submitted to the Reg 14 PNP state that the site could deliver a range of community benefits to add value for the wider village that potentially could include a mix of the following;

- The provision of housing to meet the needs of older people
- The provision of smaller homes to meet the needs of first time buyers
- The provision of new public open space including an equipped children’s play area
- The provision of flood storage betterment to help resolve existing flooding problems that currently occur off site
- The enhancement of existing public footpaths that cross the site
- Enhanced routes for sustainable modes of transport, including walking and cycling to encourage healthy living and safer routes to school for children
- Improvements to existing habitats for enhanced biodiversity

The Purton - Planning for the Future (Dec 2017) document makes the following assessment with regard to Community Enhancements for the site (p.65 Point 7);

‘None, its access onto overloaded service road, takes away an essential green space in the centre of the village, has no proximity to services, no ease of accessing links to work, would add to through traffic congestion, and make little or no contribution to biodiversity enhancement’.

It is submitted that this assessment of the proposed community enhancements does not reflect the community enhancements submitted through the Reg 14 consultation. It also does not reflect the fact that the Reg 14 representations would now support Policy 3; Policy 4 and Policy 7 of the Reg 16 plan with regard to footpaths; ecological enhancements and flooding.

Moreover, the provision of housing schemes of less than 40 dwellings that provide a range and mix of housing types including affordable homes to meet local needs meets the requirements of the first three bullet points of the Housing objectives listed at p.31 of the Reg 16 PNP.

It is submitted therefore that the assessment of the site at p.64 of the Purton - Planning for the Future (Dec 2017) is not an accurate reflection of my client’s submission to the Reg 14 consultation for the site (submissions also having been made to the Wiltshire SHLAA 2015 and the Purton Plan in Nov 2013).

Comparison of Site 1120: Land rear of Jewels Ash and Site 448: Land off Station Rd

The Examiners attention is drawn to the substantial difference in scoring for ‘Initial Rating’ with regard to access between Site 1120 and Site 448.

Site 1120 scores ‘1’ while Site 448 scores ‘3’.

The difference between the accesses proposed is that Site 1120 would access onto Witts Lane before Station Road, whereas Site 448 potentially accesses immediately onto Station Road –
however this is not absolutely confirmed by the text at p.58 which states that ‘there is potentially good access from Station Road’.

4 For both assessments Station Road is described as being ‘very busy and crowded’.

5 Clarity over the difference in scoring with regard to access is sought as it appears that a disproportionate difference between the two sites has been applied to the scoring.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 40
Response Date 20/03/18 15:22
Status Processed
Submission Type Email
Version 0.2
Files Reps 36-40 Appendix 2.pdf
        Reps 36-40 Appendix 1.pdf

To which part of the Purton Neighbourhood Plan does your comment relate?

Other consultation documents

Comment

The Regulation 16 consultation provides the opportunity to comment on the following;

1. The Regulation 16 Purton Neighbourhood Plan
2. The Purton Basic Conditions Statement (Jan 2018)
3. Purton Regulation 14 Consultation Statement (Dec 2017)

Hannick congratulate the Parish Council on the significant body of work that has been undertaken and prepared in support of the Neighbourhood Plan and its submission under Regulation 15 to Wiltshire Council, however in the spirit of co-operation, the following observations are made:

The Purton Basic Conditions Statement

1. Paragraph 22 – With regard to the Wiltshire Housing Site Allocations DPD the end of the plan period referred to in the first bullet point should be 2026 – not 2016 as stated.
2. It may prove useful to provide a table in this document that cross references the Neighbourhood Plan polices with the NPPF and the specific Wiltshire Core Strategy policies that are relevant in order to assist the Examiner and to help evidence that the basic conditions have been met.
3. Paragraph 27 states that a sustainability appraisal has been produced to meet the requirements of the SEA Directive and Regulations. The Purton Regulation 14 Consultation Statement (Dec 2017) repeatedly states that it is not necessary for a Sustainability Appraisal of the PNP to be undertaken, nor has one been published for consultation.
4. It is therefore suggested that the text be amended to state that a ‘Strategic Environmental Assessment Screening Report’ has been prepared, not a ‘Sustainability Appraisal’. Purton Regulation 14 Consultation Statement (Dec 2017)
5. The feedback provided in the consultation statement with regard to my clients Reg 14 representations is welcomed however the following points are made in response;
6. Those preparing the neighbourhood plan have not engaged with my client directly in order to understand better their proposals for the Land to the rear of Jewels Ash, despite submissions to both the Parish Plan process and the Reg 14 PNP consultation.
‘Most groups find that individual meetings with landowners and developers who are putting forward sites is the most productive approach’ – however my client has not been approached by those preparing the Reg 16 PNP despite submitting Reg 14 representations.

1 The Locality Neighbourhood Planning Toolkit - Site Assessment Document (2015) refers to the use of data provided in a local authority SALA as a starting point for site selection, however the PNP Steering Group have used the Wiltshire SALA update 2017 as the basis for the Reg 16 PNP evidence base.

2 The Locality Neighbourhood Planning Toolkit - Site Assessment Document (2015) also states that sites to be allocated in a Neighbourhood Plan should be suitable; available and deliverable, particularly with regard to their viability.

3 As stated above there is no certainty that all the brownfield sites located within the village boundary are ‘deliverable’, this is reflected in their Wiltshire SHELAA (2017) entries attached at Appendix 2.

4 The Reg 16 PNP still lacks a bespoke technical evidence base for the purpose of Policy 5.

5 The inclusion of evidence relating to heritage assets and biodiversity is welcomed.

6 The objection relating to transparency with regard to the weighting of services and facilities for the scoring of sites is maintained.

7 Community halls provide a range of opportunity for social interaction, essential to help prevent social isolation and loneliness in an ageing population and for the village to meet as a community across all ages. No evidence is provided as to why access to a doctors or dentists is scored more highly than access to a community hall.

8 Purton Village Hall provides for a regular toddler group; dancing classes; WI; history group and a keep fit class while the Silver Threads Hall exists to promote the welfare of aged persons residents in Purton and is made available for the provision of activities to benefit local elderly residents. It is submitted that such community facilities are more likely to be visited on a regular basis by villagers than a doctor’s or a dentist’s surgery and yet the medical facilities retain a higher score in the ‘Purton – Planning for the Future (2017)’ site assessment.
APPENDIX 1

SITE AND VIEWPOINT LOCATION PLAN
APPENDIX 2

PHOTOVIEWS 1 TO 11
Photoview 1. View from centre of lower lying land, looking north-west

Photoview 2A. View from footpath close to northern edge of lower lying land, looking south-east
Photoview 2B. View PURT 52, looking south-west

Substantial band of vegetation limits views towards escarpment
Photoview 3. Glimpsed view from Wills Lane, along public footpath

Photoview 4. Glimpsed view from High Street, Purton, looking north

Photoview 5. Glimpsed view from elevated footway on southern side of High Street, looking along Public Right of Way PURT54
Substantial vegetation provides a partial screen to the study area

Photoview 6A. View footpath PURT 54, looking north-west

Vegetation screening development in Purton

Photoview 6B. View from footpath PURT 54, looking north-east
Photoview 7. View from Public Right of Way PURT108, close to Hoggs Lane

Photoview 8. View over field gate on Hoggs Lane, looking north-east from escarpment
**Photoview 9.** View from Public Right of Way PURT61, looking north-west from escarpment

**Photoview 10.** View from Public Right of Way PURT40, off Upper Pavenhill, looking north-west from escarpment
Photoview 11. View from Public Right of Way PURT95, looking west from escarpment.
APPENDIX 3

TOPOGRAPHY PLAN
APPENDIX 2

WILTSHIRE SHELAA (2017) EVIDENCE
Site Address: Derelict Cottage Farm

Total Area: 0.6403ha

Suitable Area: 0.6403ha (100.0%)

Suitability Constraints*: N/A

All Constraints*: SSSI_2km, CP58, CP58, MSA, SPZ, ALCG1

HMA: North & West Wiltshire

Previous Use: Greenfield

Available: Unknown

Deliverable: No

Developable: In medium-term

Suitable: Yes. No suitability constraints.

Achievable: Yes (Residential)

Capacity: 23

*Note: Constraint abbreviations can be found in the SHELAA Methodology Report in Appendices 1 and 2 on pages 14 and 16.
Site Address: Land at Northcote

Total Area: 0.6156ha
Suitable Area: 0.6156ha (100.0%)
Suitability Constraints*: N/A

HMA: North & West Wiltshire
Previous Use: Greenfield

All Constraints*: SSSI_2km, CP58, SPZ, ALCG1

Suitable: Yes. No suitability constraints.
Achievable: Yes (Residential)
Capacity: 22

Available: Unknown
Deliverable: No
Developable: In medium-term

*Note: Constraint abbreviations can be found in the SHELAA Methodology Report in Appendices 1 and 2 on pages 14 and 16.
Site Address: Dogridge Garage Sites

Total Area: 0.2618ha
Suitable Area: 0.2618ha (100.0%)

Suitability Constraints*: N/A

All Constraints*: PP, SSSI_2km, SPZ, ALCG1

Suitable: Yes. No suitability constraints.
Available: Yes

Achievable: No (Residential)
Deliverable: No
Capacity: 12
Developable: In medium-term

*Note: Constraint abbreviations can be found in the SHELAA Methodology Report in Appendices 1 and 2 on pages 14 and 16.
Site Address: Hooks Hill

Total Area: 0.5742ha

Suitable Area: 0.5742ha (100.0%)

Suitability Constraints*: N/A

All Constraints*: SSSI_2km, MSA, SPZ, ALCG1

- Suitable: Yes. No suitability constraints.
- Available: Yes
- Achievable: No (Residential)
- Deliverable: No
- Capacity: 21
- Developable: In medium-term

*Note: Constraint abbreviations can be found in the SHELAA Methodology Report in Appendices 1 and 2 on pages 14 and 16.
Site Address: Land Rear of Jewels Ash

Total Area: 4.1816ha

Suitable Area: 4.1816ha (100.0%)

Suitability Constraints: N/A

HMA: North & West Wiltshire

Previous Use: Greenfield

All Constraints*: SSSI, 2km, MSA, SPZ, ALCG1

Suitable: Yes. No suitability constraints.

Available: Yes

Achievable: Yes (Residential)

Deliverable: Yes

Capacity: 128

Developable: In short-term

*Note: Constraint abbreviations can be found in the SHELAA Methodology Report in Appendices 1 and 2 on pages 14 and 16.
To which part of the Purton Neighbourhood Plan does your comment relate?

Purton Policy 5 - To protect key local landscapes

Comment

3.1 Castlewood note the objectives of the Plan includes the protection and enhancement of the landscape setting of the Parish and that the issues and considerations arising from consultation also identified locally important views.

3.2 Such objectives to conserve and where possible enhance the landscape character and important views are in generally in conformity with national policy (NPPF Paragraph 109) and Wiltshire Core Strategy (Core Policy 51). Core Policy 51 is noted as a criteria based policy which identifies a number of aspects of the landscape to be considered. This enables the sensitivity and importance of various landscape assets to be considered in accordance with the approach of the presumption in favour of sustainable development.

3.3 In contrast Purton Policy 5 applies a blanket development restriction on a large area of land, covering a considerable 280 hectares, to the west and north of the village which is proposed to be allocated as ‘open space to remain undeveloped to preserve locally important views’.

3.4 It is also noted that others have commented, in the Regulation 14 Consultation Statement December 2017, that the policy appears to be an attempt to implement a strategic gap. The response from the Parish Council to that comment stated that ‘the policy does not prevent development but aims to retain open countryside to prevent coalescence with Swindon’.

3.5 However, as explicitly written the policy implies that development in this area will not be allowed. Purton Policy 5 proposes that the area is allocated as open space to remain undeveloped to preserve locally important views.

3.6 Open Space is defined in national policy as ‘all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity’ (NPPF Glossary). Open Space is considered to include parks and gardens, sports facilities and recreational spaces, and country parks. The area to be designated is not considered to be any of those.

3.7 The area proposed to be allocated for open space is somewhat unclear on Map 5 – notably as there are several green areas but none are labelled ‘open space’
3.8 However, the area implied is extensive and appears to include Castlewood’s Land at South Pavenhill Farm. In this regard Castlewood confirm that the land is in private ownership and there is no wider public access to this land other than along public rights of way. It is not public open space.

3.9 Castlewood consider this policy is not sufficiently clear and unambiguous and nor is it positively prepared as it applies a blanket development restriction across a wide area.

3.10 Furthermore, proportionate and robust evidence to demonstrate why the area should be considered as Open Space or even selected for special landscape protection has not been provided. There appears to be no assessment that such land is required as ‘open space’ and no specific landscape assessment which specifically identifies the landscape importance and sensitivity of the area is such that it should remain ‘undeveloped’.

3.11 Purton Policy 5 appears to be an attempt apply a Local Green Space policy across this area, where local communities can identify green areas of particular importance to them (NPPF paras 76 and 77) where development is restricted that and is treated in a manner consistent to Green Belt (NPPF para 78).

3.12 To designate areas of Local Green Space, proportionate and robust evidence is required, which must include an assessment against criteria set out in paragraph 77 of the NPPF. No assessment is apparent in this instance.

3.13 NPPF paragraph 77 makes clear that the Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

1. where the green space is in reasonably close proximity to the community it serves
2. where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife
3. where the green area concerned is local in character and is not an extensive tract of land.

NPPF Paragraph 77

3.14 It is further noted that the national planning guidance states that:

However, paragraph 77 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.

NPPG Paragraph: 015 Reference ID: 37-015-20140306

3.15 Considering each of the NPPF paragraph 77 criteria in turn:

Is the green space in reasonably close proximity to the community it serves?

3.16 Whilst the area indicated is contiguous with the settlement in places the area proposed is expansive and includes areas up to 1km from the edge of the settlement and as such includes areas relatively distant from the settlement for the purposes of ‘open space’ provision.

Is the green space in reasonably close proximity to the community it serves?

Is the site demonstrably special to a local community and does it hold a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife?

3.17 There is no detailed assessment demonstrating that the specific area identified or parts thereof holds particular qualities that set it apart from the surrounding agricultural land.

3.18 Whilst the landform, ridge and escarpment is acknowledged there appears to be no specific landscape assessment which assesses the land and its component parts to judge that all of this area is so sensitive to be precluded from development altogether.
3.19 In particular, Castlewood consider that land at South Pavenhill Farm is well related to the settlement and where a landscape led development masterplan may appropriately protect and enhance the landscape character of the area and important views.

3.20 The site has no public access other than rights of way and very limited recreational value, especially in relation to its surroundings and in the context of that anticipated by the NPPF, such as a playing field and park. Neither does the site possess a particular wildlife or habitat value in the local or wider context of the landscape. When compared to the surrounding fields, there is no indication that the site demonstrates any qualities which would suggest that it has a particular local significance.

3.21 The policy approach to this area makes no allowance for the potential for development to enhance the appearance and setting of the settlement as it applies a blanket restriction which is contrary to national and local planning policies.

*Is the area local in character and not an extensive tract of land?*

3.22 The area to be designated is not local in character and is comprised of an extensive tract of land. At approximately 280 hectares the site is in fact substantially larger than considered appropriate to be designated as Local Green Space. Numerous examples of where examiners have considered much smaller areas of land unsuitable for Local Green Space designations can be found.

3.23 In 2014, for example, in relation to an area known as Farleigh Fields being designated in the Backwell Neighbourhood Plan, examiner Mr Nigel McGurk stated:

> *In the case of Farleigh Fields, it is my view that 19 hectares also comprises an extensive tract of land. To provide some perspective, at least twenty three full size football pitches would easily fit in to an area of this size. Given that the Framework is not ambiguous in stating that a Local Green Space designation is not appropriate for most green areas or open space, it is entirely reasonable to expect compelling evidence to demonstrate that any such allocation meets national policy requirements. Specific to demonstrating that Farleigh Fields, and Moor Lane Fields are not extensive tracts of land, no substantive or compelling evidence has been presented.***

3.24 In 2016, in relation to an area known as Humpty Hill being designated in the Faringdon Neighbourhood Plan, the independent examiner, Mr Ashcroft stated:

> *Nevertheless having looked at the site both on my initial visit to the town in May and then on the morning of the hearing I have concluded that land at Humpty Hill is an extensive tract of land. It is 5.6 hectares in size and on the day of the hearing was partially-overgrown grazing land. Paragraph 77 of the NPPF indicates that local green space designation will not be appropriate for most green areas or open spaces. Whilst the circumstances are not identical it is also clear that other similar parcels of land elsewhere in other emerging neighbourhood plans have been considered by another examiner to be extensive tracts of land.*

3.25 Purton Policy 5 seeks to designate as open space an area of land of approximately 280 hectares which is without question and extensive tract of land, including having regard to the views of Inspectors in other Neighbourhood Plans.

3.26 The proposed policy designation does indeed appear to be a blanket a blanket designation of open countryside and a ‘back door’ way to achieve a Green Belt around the settlement by another name as highlighted and in complete conflict with the NPPF approach to Local Green Space and associated planning guidance.

3.27 To compound the issue it is further noted that Purton Policy 5 specifically identifies that the land is ‘allocated as open space to remain undeveloped’. This is entirely contrary to the national policy framework - even the approach to Local Green Space allows built development in a number of circumstances.

3.28 This blanket restriction approach is also contrary to the Wiltshire Core Strategy which in accordance with Core Policy 2 contains a number of ‘exception’ policies outside of settlement boundaries including tourism development (Core Policies 39 and 40), rural exception sites (Core Policy 44), specialist accommodation (Core Policy 47) and supporting rural life (Core Policy 48). Purton Policy 5 is contrary to a number of strategic local plan policies.

3.29 In summary, Castlewood consider that Purton Policy 5 fails the basic conditions for the following reasons:
1. The policy is not sufficiently clear and unambiguous – it is not clear which ‘green areas’ are to be allocated as open space.

2. The policy is not supported by proportionate, robust evidence – there is no specific landscape, open space or Local Green Space assessment of this area to justify that it should remain undeveloped.

3. The policy appears to be an attempt to apply a Local Green Space designation across an extensive tract of land and as such conflicts with NPPF policies and guidance with regard the application of such designation.

4. The proposed blanket development restriction is contrary to a number of Wiltshire Core Strategy policies which allow a development outside of the settlement boundary at Purton in a number of circumstances in accordance with Wiltshire Core Policy 2.

5. The policy is an unjustified blanket restriction on all development, for which no compelling evidence exists, and as such is contrary to the presumption in favour of sustainable development and the need to plan positively to address the development needs of the area.

3.30 As such Castlewood consider that Purton Policy 5 fails the basic conditions in that it conflicts with national policy and guidance, does not promote sustainable development and is contrary to the strategic policies of the area. The policy should be removed from the plan.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

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To which part of the Purton Neighbourhood Plan does your comment relate?

Purton Policy 13: Development Principles

Comment

4.1 Having regard to national policy and guidance, neighbourhood plans may allocate sites for residential development over and above that required at a strategic level. Castlewood note that the Wiltshire Core Strategy, adopted in 2015, does not identify a specific number of homes as a target for the Parish to deliver. However, neighbourhood plans are more generally identified in Appendix C of the Core Strategy as a source of housing supply for the district across the plan period.

4.2 Castlewood note and commend that the Parish has sought to identify its own minimum housing target for the period between 2016 and 2026 which is stated as a minimum of 94 additional dwellings. The neighbourhood plan states, on page 34, that:

*the growth of the population in the parish identified from “Purton ~ Planning for the Future (2017)” predicts that it will grow by the end of the plan period in 2026 to about 4,618. It represents an additional 236 residents between now (2017) and the end of the plan period. To meet the predicted growth between 2016 and 2026, provision will be made available for a minimum 94 additional dwellings at Purton.*

4.3 To meet that need, Purton Policy 13 proposes the allocation of six sites within the settlement boundary, four of which were previously tested through the district-wide Wiltshire SHLAA and SHELAA process, with the addition of two sites at North View and the Former Youth Centre. In total these sites are identified for circa 75 homes.

4.4 In proposing site allocations, sites should be assessed through the neighbourhood planning process to determine whether they are either a) deliverable or b) developable (NPPF para 47).

4.5 To determine whether a site is deliverable, sites should be assessed to determine if they are i) available now, ii) suitable for development now and iii) have a realistic of delivering housing within five years (NPPF para 47 footnote 11).

4.6 To determine whether a site is developable, sites should be assessed to determine if they are in a suitable location for development, and that there is reasonable prospect that the site is available and could be viably developed at the point envisaged (NPPF para 47 footnote 12).
4.7 Having regard to national policy and guidance, neighbourhood plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency (NPPF para 17).

4.8 Neighbourhood Plans need to be deliverable (NPPG para 005) and, therefore, their policies should be clear and unambiguous, concise, precise and supported by appropriate evidence (NPPG para 041). To achieve this, neighbourhood plans should be supported with a proportionate and robust evidence base (NPPG para 040).

4.9 Whilst Castlewood commends the Parish’s endeavours to identify sites within the settlement to deliver the Parish’s housing requirement, it is not considered that the allocation of these sites through Purton Policy 13 meets the requirements of national policy and guidance and as such the basic conditions of the plan.

4.10 The six sites (as shown also on Figure 1 attached) are identified in Purton Policy 13 for approximately 75 dwellings and as such the policy implies that such sites are allocated for development:

1 Site 66 – Derelict Cottage Farm
2 Site 91 – Land at Northcote
3 Site 3316 – three sites at Dogridge
4 Site 3318 – Hooks Hill
5 Land at North View
6 Former Youth Centre (with the adjoining garages and green space).

4.11 Evidence in support of the proposed allocations in Purton Policy 13 is provided in the form of a site assessment paper, set out in the evidence base document Purton: Planning for the Future.

4.12 Purton Policy 13 does not state the number of units each individual site is expected to deliver. Instead an overall figure is provided as being ‘approximately 75’. As such the policy is not sufficiently clear as to how a decision maker should respond to development proposals on each site having regard to each site’s constraints and opportunities.

4.13 For each of the sites, the evidence base identifies their maximum capacity (in being expressed as an ‘up to’ figure), resulting in a total of 75 homes.

4.14 Turning to the site assessment criteria, 23 criteria are used in total, with each attracting a weighting of importance. Of the total 23, 16 relate to distance to a range of services and facilities, and of those 16 distance criteria, 9 are weighted as high importance, 5 of medium importance and 2 of low importance.

4.15 There are a further 6 criteria, which include site access, proximity to allotments, potential for flooding, impact on skyline or view, and the potential to adversely affect heritage assets. All 6 are rated as being of comparatively low importance to the site assessment. Additionally, 1 criterion includes a combination of proximity to services, ease of accessing links to work, reducing on road parking, congestion, and biodiversity enhancement.

4.16 Therefore, it is considered that the site assessment is heavily weighted towards distance and proximity to facilities and services. Whilst it is accepted that there has been some consideration of wider planning concerns, a robust assessment to determine whether the sites are suitable, available and achievable along with their likely capacity has not been presented (NPPF para 47).

4.17 Within that context, each of the proposed site allocations within Purton Policy 13 and the method by which they were determined is discussed below. It is noted that in accordance with Wiltshire Core Policy 2 there is a Presumption in Favour of Sustainable Development within the settlement boundaries.

Site 66 – College Farm (Derelict Cottage Farm)

4.18 Site 66 is a SHELAA site located off High Street, adjacent to the edge of the settlement, with open countryside beyond. The site consists of a derelict farmyard with a gross site area of 0.64 hectares comprising a series of farm outbuildings and barns.

4.19 In the neighbourhood plan site assessment, the site is identified as having potential for up to 16 homes but is proposed to be allocated for a maximum 11 homes at the rear of the site due to the proximity of designated heritage assets.

4.20 Located on site is a Grade II listed Granary and the site is the farmyard to the adjacent Grade II* listed College Farmhouse. Also adjacent are a Grade II listed outbuilding and Grade II listed gateway. The site is within the designated Conservation Area.
4.21 The proposed access to the site is noted as poor and the visibility splay would need to be increased. This is acknowledge as likely to affect the historic rubble wall along the High Street which given the context of the site is likely to be curtilage listed as it appears to define the historic farmyard.

4.22 Included in the evidence base is a short description of each listed building, which are identified as ‘potentially affected’ by the allocation and Purton Policy 13 requires that development on the site should respect the specific character of the Conservation Area and setting of Purton’s historic buildings.

4.23 The site appears to be part of the historic setting of the Grade II* listed farm house and as such is of considerable sensitivity. There appears, however, to be no evidence provided as to the significance of the heritage assets, nor whether development on this site will be suitable and/or the impact of the proposed allocation on the significance of the heritage assets.

4.24 Castlewood consider that an assessment of the significance of the heritage assets to be affected and an assessment of the impact of development on the designated heritage assets is required in accordance with national policy (NPPF paras 126 & 129). Without such assessment it is considered that the allocation of the site is contrary to national policy.

4.25 There also appears to be no assessment of whether access to the proposed allocation could be created that meets appropriate highway standards. There is no evidence to indicate a site allocation for 11 dwellings would be considered acceptable on highways grounds.

4.26 Finally, there is no indication that the site is ‘available’. The Wiltshire SHELAA states that the availability of the site is unknown.

4.27 In summary, Castlewood do not consider that there is sufficient robust evidence to justify the allocation of Site 66 College Farm. The site is subject to a number of constraints, in particular access and the impact on the character and setting of Grade II and Grade II* listed buildings, which have not been subject to a proportionate and robust site assessment which as required by national planning policy.

Site 91 – Land at Northcote

4.28 Site 91 is a SHELAA site located off High Street within the built up area of the settlement and surrounded by existing residential areas. The site consists of two large detached homes with associated landscaped gardens, residential outbuildings and garages.

4.29 The site comprises 0.62 hectares and is identified in the neighbourhood plan assessment as having potential for up to 15 homes.

4.30 The site abuts the Conservation Area along the High Street to the north with listed buildings opposite including the Purton War Memorial (Grade II) and College Farmhouse (Grade II*). Again no assessment of the potential impact on these heritage assets is presented although a set back of development from the High Street is suggested. However, no evidence has been provided as to the significance of the heritage assets and the impact of the proposed allocation.

4.31 In addition the site lies in an area of more spacious character of semi-detached and large detached properties. The assumed development of 15 dwellings implies a relatively dense development in this context which is unlikely to reflect the character of this area to address the relevant policies of the Wiltshire Core Strategy and the objectives of the neighbourhood plan. It is noted that an application for the erection of two bungalows on half of the site (Northcote) was previously refused (N/05/01909/OUT)

4.32 It is noted that the site is already occupied by two large dwellings. The Wiltshire SHELAA does not indicate that the site is available and as such it cannot be considered deliverable or developable.

4.33 In summary, Castlewood do not consider that there is sufficient robust evidence to justify the allocation of Site 91 Land at Northcote. There is no evidence to demonstrate that the development of 15 dwellings on the site would respect the character of the area or indeed that the site is available for development.

Site 3316 – Three sites at Dogridge

4.34 Three small sites (referred to here as north, south, and west) comprise site 3316 which is in total an area of 0.24ha. The sites together are assessed to have a capacity of 10 dwellings.
4.35 The south site is a small area of mown verge with extant planning permission for two bungalows with associated car parking and landscaping (15/12164/FUL). The west site is a small area of garages with extant permission for the demolition of 12 garages and construction of 6 x 1 bed and 2 x 2 bed flats, along with landscaping, car parking (16/07507/FUL). As such these parts of the site already have permission for 10 dwellings. It is not necessary, therefore, to allocate these site in the plan.

4.36 The north site is approximately 0.15 hectares in size and comprises two linear lines of garages. Whilst previously developed land, the narrow, linear nature of this parcel of land will make it difficult to develop and as such development capacity will be limited. Furthermore, it is unclear as to whether the garages are all under single ownership.

4.37 In summary, Castlewood do not consider that there is sufficient robust evidence to justify the continued allocation of Site 3316 Land at Dogridge for 10 dwellings.

Site 3318 Hooks Hill

4.38 Site 3318 is a SHELAA site with an existing residential development comprising 25 retirement apartments as part of a sheltered housing complex. The site is located on Hooks Hill, which is accessed from High Street.

4.39 The site is 0.53 hectares in size and is proposed to be allocated for up to 20 dwellings. As such the proposed allocation of the site is for a reduction in the number of dwellings – a net loss of 5 dwellings. As such the site will not contribute toward the 75 home target identified in Purton Policy 13.

4.40 Furthermore, as a previously developed site within the settlement boundary there is in-principle support for the redevelopment of the site through the Wiltshire Core Strategy. The specific identification of the site in Purton Policy 13 does not add any locally specific detail to this. Furthermore the proposed development on the site would result in a net loss against the Parish's housing target rather than a net gain of 20 dwellings. In summary, Castlewood do not consider that there is sufficient robust evidence to justify the specific allocation of Site 3318 Hooks Hill.

Land at North View

4.41 Land at North View is not included in the Wiltshire SHELAA. However, it is noted that the site has recently secured consent for the erection of 11 dwellings (16/10143/FUL). The inclusion of the site within Purton Policy 13 is, therefore, now unnecessary.

Former Youth Centre

4.42 The former youth centre site is located off Reid's Piece and comprises 0.27ha. It is identified as having potential for up to 7 houses.

4.43 The site lies within the built up area of the settlement and as such development on the site is acceptable in principle in accordance with Wiltshire Core Policy 2. Purton Policy 13 does provide specific additional local guidance as to the development of the site to warrant its allocation in the neighbourhood plan.

4.44 Purton Policy 13 does state that the ‘Land at the former youth centre is particularly suited to providing low cost homes’. This policy does not qualify what is meant by low cost homes and this reference is too imprecise to direct a decision maker considering a proposal on the site.

4.45 Castlewood do not consider that there is sufficient robust evidence or locally specific guidance to justify the allocation of the Former Youth Centre site within Purton Policy 13.

Summary and Conclusion – Purton Policy 13

4.46 Overall, Purton Policy 13 seeks to allocate land for 75 homes across six sites within the settlement boundary of the village. It is noted that Wiltshire Core Policy 2 already establishes a presumption in favour of development of sites within the settlement boundary. To accord with the basic conditions and national planning policy and guidance the development allocated on the sites listed in Purton Policy 13 should be clear and unambiguous, supported by robust evidence and locally distinct. Castlewood’s brief review of the sites may be summarised as:

1 Site 66 – Derelict Cottage Farm – the site lies within the setting of a Grade II* listed building and there is no robust evidence addressing the potential impacts on heritage assets or works required for access – contrary to national policy. There is no confirmation that the site is available.
2 Site 91 – Land at Northcote - There is no evidence to demonstrate that the development of 15 dwellings on the site would respect the character of the area or indeed that the site is available for development.

3 Site 3316 – three sites at Dogridge – two of the three sites now have planning consent. The remaining land is a narrow linear strip of existing garages, ownership or multiple ownership of which is unclear. The configuration of the site will make it difficult to development with an impact on development capacity. There is insufficient evidence to justify the allocation of the remaining garages.

4 Site 3318 – Hooks Hill – the site is already in residential use as 25 residential units. The plan proposes 20 units on the site which is a net loss of dwellings which appears not to have been factored in to Purton Policy 13.

5 Land at North View – the site now has planning consent and as such it is unnecessary to allocate the site.

6 Former Youth Centre – the principle of development on the site is already accepted through the Wiltshire Core Strategy. Purton Policy 13 does not any specific local guidance as to the development of the site to justify its allocation other than an ambiguous reference to low cost housing.

4.47 Overall it is clear that Purton Policy 13 will not deliver an additional 75 dwellings. Castlewood consider that the lack of evidence behind and guidance within the Policy is such that it is not clear and unambiguous and nor does it add local specific guidance to each of the sites. As such the proposed allocations conflict with national policy and guidance and should be removed from the plan.
To which part of the Purton Neighbourhood Plan does your comment relate?

Purton Policy 14 Development outside settlement boundary at Restrop Road

Comment

5.1 Purton Policy 14 recognises that small infill housing sites will not yield the type of housing which the Parish needs such as affordable housing and properties for first time buyers. In response the Plan promotes development on land outside the settlement boundary to meet these needs.

5.2 It is noted that the Wiltshire Core Policy 2 enables neighbourhood plans to alter the defined limits of development through the identification of sites. However, Purton Policy 14 does not achieve this as it does not identify a specific site and as such does not seek to redefine the settlement boundary.

5.3 Purton Policy 14 identifies an ‘area of search’ for up to 40 smaller homes including affordable housing, houses for first time buyers, smaller properties for those who wish to downsize and also properties suited to older persons including bungalows.

5.4 The land identified is on the southern edge of the village at Restrop Farm. The land has been assessed as two parcels of land – Site 470 Land at Restrop (1.4ha) and Site 440 Land of Willis Way (3.5ha).

5.5 The land at Restrop Farm (Site 470) is currently subject to a planning application by Persimmon Homes for 38 homes 16/10513/FUL. It is noted that the application has been pending for some time without a decision.

5.6 Part of land off Willis Way is included within the area of search. Castlewood understand that there are currently no rights to access the centre of the village via Willis Way or other access connections to the east. Access to land off Willis Way is currently therefore required direct to Restrop Road. Accordingly the proposed area of search has been extended to include part of the Land off Willis Way where it adjoins Restrop Road. The strip of land included, however, does not respect existing natural boundary features.

5.7 The proposed allocation of up to 40 homes for the site is likely to be largely met at Restrop Farm (Site 470) yet there remains significant additional land within the allocation off Willis Way which whilst adjoining the settlement, lacks good connections to the village.

5.8 By implication, the whole of the area of search is implied to be suitable for development, yet should the whole area be developed then the assumed allocation of 40 dwellings would be significantly
exceeded. As currently proposed, therefore, the Purton Policy 14 area of search is ambiguous and does not provide sufficient certainty to a decision maker as to how to respond to proposals across the site. This in part reflects the evidence base which is not sufficiently robust and does not consider the site as a whole.

5.9 In addition whilst Purton Policy 14 seeks up to 40 ‘smaller homes’ of various types no specific mix is provided within the policy to enable a decision maker to judge whether any proposed development can comply with the policy.

5.10 Castlewood would further highlight that whilst the views of the community may prefer a development of no more than 40 homes, artificially limiting the capacity of the land by imposing a cap on the amount of development coming forward is contrary to the cost-benefit approach of national policy in addition to the requirement to plan positively (NPPF para 16). Purton Policy 14 in effect establishes an artificially low development limit over the area of search.

5.11 Whilst Castlewood commends the Neighbourhood Plan Group for seeking to address housing needs outside of the settlement boundary, Purton Policy 14 as currently proposed is not considered to accord with the basic conditions in so far as:

1. The Policy is not sufficiently clear and unambiguous or supported by proportionate and robust evidence with regard to development across the site noting that the proposed development cap can be met on only half the site at Restrop Farm as evidenced by the current planning application there.
2. The Policy is not sufficiently clear and unambiguous with regard to the type and mix of homes which are sought on the site;
3. The proposed development cap is contrary to the positive approach to sustainable development within national planning policy;
4. The proposed area of search approach does not accord with Wiltshire Core Policy 2 as it does not identify a specific site for development and does not seek to redefine the settlement boundary accordingly.

5.12 Further to Castlewood’s comments with regard Policies 5, 13 and 14, it is apparent that the Parish’s housing target of 94 additional dwellings will not be robustly met through the plan as currently drafted.

5.13 It is noted that the Purton Parish Plan also identifies that sites for 24 affordable homes should be identified. As noted in the neighbourhood plan, the delivery affordable housing is the key driver behind the identification of sites on the edge of the settlement which are more likely to be able to deliver affordable housing.

5.14 A site of 40 homes (as proposed in Policy 14) at the Wiltshire policy rate of 40% affordable housing will only deliver 16 affordable homes. There appears therefore a need to identify additional land on the edge of the settlement to deliver affordable housing requirements.

5.15 Castlewood have land under its control at South Pavenhill Farm, Purton and confirms that this land is available and suitable for development. The site has been considered in the Wiltshire SHELAA and neighbourhood site assessment as site 3469. The site is assessed as being suitable, available and deliverable.

5.16 Castlewood would accept a limit of development as suggested in the neighbourhood plan site assessment and a site capacity of 50 houses within which affordable housing, first time buyer housing and older persons housing could be delivered. It is understood that the site has not been preferred by the Parish due to access concerns but Castlewood consider that appropriate vehicular and pedestrian access can be provided.

5.17 The development potential of Land at South Pavenhill Farm may be summarised as:

1. Well related to the existing built up area of the village - particularly the northern 2ha part of the site which adjoins Ringsbury close and has capacity for around 50 dwellings;
2. Access can be achieved direct to Pavenhill and also to Ringsbury Close;
3. Located in close proximity to bus services to Swindon and bus stops within reasonable walking distance (800m);
4. Within walking distance of village facilities including a shop at Pavenhill;
5. Located within a low risk flood zone (Flood Zone 1);
6. The site is not subject to any on site designations;
7 Largely contained from the wider landscape by existing housing and landscaping/hedgerows (particularly the northern part). A right of way passes along the northern edge. Impact on the right of way and landscape can be managed through the provision of new landscaping and sensitive design (including landscape buffer or set back to Right of Way and reduced building heights where appropriate);  
8 Not subject to any on-site heritage designations although Pavenhill Farmhouse (listed Grade II) lies opposite the site and Ringsbury Fort Scheduled Ancient Monument lies to the south west. The setting of these assets can be preserved through sensitive design and landscape buffers/set backs where required.  
5.18 Castlewood would welcome a discussion with the Neighbourhood Plan group to discuss its concerns with the neighbourhood plan as currently drafted and the potential of Land at South Pavenhill Farm to meet the Parish's development needs.
Representations to the Purton Neighbourhood Plan Submission Consultation

Prepared for: Castlewood Property Ventures Ltd
March 2018
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1.0 Introduction

1.1 These representations are made in response to the Purton Neighbourhood Plan Submission Consultation 2018 by Edgars on behalf of our client, Castlewood Property Ventures Limited (from herein referred to as Castlewood).

1.2 Castlewood has acquired an interest in Land at South Pavenhill Farm. The Land at South of Pavenhill Farm has been considered in the Neighbourhood Plan site assessment and Wiltshire Strategic Housing Land Availability Assessment (SHELAA site 3469) and is considered to be suitable, available and deliverable. Castlewood confirm that the land is available for development to meet housing needs of at least 50 dwellings.

1.3 Castlewood has recently been made aware of the Purton Neighbourhood Plan (‘The Plan’) and has reviewed the Submission documents with interest. The intention to prepare a Neighbourhood Plan which seeks to facilitate the delivery of new housing is welcomed by Castlewood.

1.4 Castlewood, however, has some concerns as to the deliverability of the plan and compliance with the Basic Conditions with particular regard to the policies which relate to the following:

- Purton Policy 5 - A designated area of ‘open space’ to the west of Purton
- Purton Policy 13 - Site allocations for ‘approximately’ 75 homes within the settlement boundary
- Purton Policy 14 - An ‘area of search’ for ‘up to 40 homes’ outside of the settlement boundary

1.5 As currently presented, Castlewood consider that the Plan does not have sufficient regard to national policy and guidance and therefore fails to meet the Basic Conditions.

1.6 Castlewood would welcome a discussion with the Neighbourhood Plan group to discuss its concerns and the potential of Land at South Pavenhill Farm to meet development needs.

1.7 Castlewood requests to be notified of the plan’s progress under Regulation 19 of the Neighbourhood Planning Regulations (as amended). Castlewood also wish to be notified of any proposed amendments or modifications to the content of the Neighbourhood Plan and any discussions taking place in support of those changes.

2.0 Basic Conditions

2.1 Neighbourhood Plans are a land use planning tool for calculating and meeting local need and allow communities to shape development in their area. In doing so, Neighbourhood Plans should be prepared having considered and balanced proper planning considerations and are then made part of the Development Plan, subject to meeting the required Basic Conditions.

2.2 The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are also reproduced in Planning Practice Guidance (PPG), and the following representations demonstrate that the Plan fails to meet the first, fourth and fifth conditions listed as follows:

a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).

b) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
c) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

NPPG Paragraph: 065 Reference ID: 41-065-20140306

2.3 The first Basic Condition requires that in making a neighbourhood plan it is appropriate for the local planning authority to do so having regard to national policy. It is considered that the Plan has not had sufficient regard to national policy and, therefore, is not appropriate to be made. Those national policy references of particular relevance to Castlewood’s concerns are highlighted below with our emphasis underlined:

National Planning Policy Framework (NPPF)

2.4 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

2.5 The presumption in favour is applied to Neighbourhood Plans by NPPF Paragraph 15.

2.6 Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

NPPF Paragraph 15

2.7 The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:

- Plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the local plan.

NPPF Paragraph 16

2.8 Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles include that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.

NPPF Paragraph 17

2.9 To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable.

NPPF Paragraph 47 (Footnote 11)

2.10 To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

NPPF Paragraph 47 (Footnote 12)
2.11 The Local Green Space Designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife
- where the green area concerned is local in character and is not an extensive tract of land.

*National Planning Policy Guidance*

2.12 The national guidance of particular relevance to Castlewood’s concerns is highlighted below again with our emphasis shown as underlined:

2.13 Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people. They can put in place planning policies that will help deliver that vision or grant planning permission for the development they want to see.

Paragraph: 003 Reference ID: 41-003-20140306

2.14 If the policies and proposals are to be implemented as the community intended a neighbourhood plan needs to be deliverable. The National Planning Policy Framework requires that the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

Paragraph: 005 Reference ID: 41-005-20140306

2.15 While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.

Paragraph: 040 Reference ID: 41-040-20160211

2.16 A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

Paragraph: 041 Reference ID: 41-041-20140306

2.17 A neighbourhood plan can allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. Guidance on assessing sites and on viability is available.

Paragraph: 042 Reference ID: 41-042-20170728

2.18 A neighbourhood plan or Order must not constrain the delivery of important national policy objectives. The National Planning Policy Framework is the main document setting out the government’s planning policies for England and how these are expected to be applied.

Paragraph: 069 Reference ID: 41-069-20140306
In order to demonstrate that a draft neighbourhood plan or Order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or Order guides development to sustainable solutions.

Paragraph: 072 Reference ID: 41-072-20140306

Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.

NPPG Paragraph: 015 Reference ID: 37-015-20140306

These representations demonstrate how the Plan has failed to have sufficient regard to the NPPF and NPPG and as such fails to achieve sustainable development.

The following comments apply to the specific policies of the Plan as they appear in the submission document.

3 Purton Policy 5 – To protect key local landscapes

3.1 Castlewood note the objectives of the Plan includes the protection and enhancement of the landscape setting of the Parish and that the issues and considerations arising from consultation also identified locally important views.

3.2 Such objectives to conserve and where possible enhance the landscape character and important views are in generally in conformity with national policy (NPPF Paragraph 109) and Wiltshire Core Strategy (Core Policy 51). Core Policy 51 is noted as a criteria based policy which identifies a number of aspects of the landscape to be considered. This enables the sensitivity and importance of various landscape assets to be considered in accordance with the approach of the presumption in favour of sustainable development.

3.3 In contrast Purton Policy 5 applies a blanket development restriction on a large area of land, covering a considerable 280 hectares, to the west and north of the village which is proposed to be allocated as ‘open space to remain undeveloped to preserve locally important views’.

3.4 It is also noted that others have commented, in the Regulation 14 Consultation Statement December 2017, that the policy appears to be an attempt to implement a strategic gap. The response from the Parish Council to that comment stated that ‘the policy does not prevent development but aims to retain open countryside to prevent coalescence with Swindon’.

3.5 However, as explicitly written the policy implies that development in this area will not be allowed. Purton Policy 5 proposes that the area is allocated as open space to remain undeveloped to preserve locally important views.

3.6 Open Space is defined in national policy as ‘all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity’ (NPPF Glossary). Open Space is considered to include parks and gardens, sports facilities and recreational spaces, and country parks. The area to be designated is not considered to be any of those.

3.7 The area proposed to be allocated for open space is somewhat unclear on Map 5 – notably as there are several green areas but none are labelled ‘open space’

3.8 However, the area implied is extensive and appears to include Castlewood’s Land at South Pavenhill Farm. In this regard Castlewood confirm that the land is in private ownership and there
is no wider public access to this land other than along public rights of way. It is not public open space.

3.9 Castlewood consider this policy is not sufficiently clear and unambiguous and nor is it positively prepared as it applies a blanket development restriction across a wide area.

3.10 Furthermore, proportionate and robust evidence to demonstrate why the area should be considered as Open Space or even selected for special landscape protection has not been provided. There appears to be no assessment that such land is required as ‘open space’ and no specific landscape assessment which specifically identifies the landscape importance and sensitivity of the area is such that it should remain ‘undeveloped’.

3.11 Purton Policy 5 appears to be an attempt apply a Local Green Space policy across this area, where local communities can identify green areas of particular importance to them (NPPF paras 76 and 77) where development is restricted that and is treated in a manner consistent to Green Belt (NPPF para 78).

3.12 To designate areas of Local Green Space, proportionate and robust evidence is required, which must include an assessment against criteria set out in paragraph 77 of the NPPF. No assessment is apparent in this instance.

3.13 NPPF paragraph 77 makes clear that the Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

• where the green space is in reasonably close proximity to the community it serves
• where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife
• where the green area concerned is local in character and is not an extensive tract of land.

NPPF Paragraph 77

3.14 It is further noted that the national planning guidance states that:

However, paragraph 77 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.

NPPG Paragraph: 015 Reference ID: 37-015-20140306

3.15 Considering each of the NPPF paragraph 77 criteria in turn:

Is the green space in reasonably close proximity to the community it serves?

3.16 Whilst the area indicated is contiguous with the settlement in places the area proposed is expansive and includes areas up to 1km from the edge of the settlement and as such includes areas relatively distant from the settlement for the purposes of ‘open space’ provision.

Is the site demonstrably special to a local community and does it hold a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife?

3.17 There is no detailed assessment demonstrating that the specific area identified or parts thereof holds particular qualities that set it apart from the surrounding agricultural land.
3.18 Whilst the landform, ridge and escarpment is acknowledged there appears to be no specific landscape assessment which assesses the land and its component parts to judge that all of this area is so sensitive to be precluded from development altogether.

3.19 In particular, Castlewood consider that land at South Pavenhill Farm is well related to the settlement and where a landscape led development masterplan may appropriately protect and enhance the landscape character of the area and important views.

3.20 The site has no public access other than rights of way and very limited recreational value, especially in relation to its surroundings and in the context of that anticipated by the NPPF, such as a playing field and park. Neither does the site possess a particular wildlife or habitat value in the local or wider context of the landscape. When compared to the surrounding fields, there is no indication that the site demonstrates any qualities which would suggest that it has a particular local significance.

3.21 The policy approach to this area makes no allowance for the potential for development to enhance the appearance and setting of the settlement as it applies a blanket restriction which is contrary to national and local planning policies.

Is the area local in character and not an extensive tract of land?

3.22 The area to be designated is not local in character and is comprised of an extensive tract of land. At approximately 280 hectares the site is in fact substantially larger than considered appropriate to be designated as Local Green Space. Numerous examples of where examiners have considered much smaller areas of land unsuitable for Local Green Space designations can be found.

3.23 In 2014, for example, in relation to an area known as Farleigh Fields being designated in the Backwell Neighbourhood Plan, examiner Mr Nigel McGurk stated:

‘In the case of Farleigh Fields, it is my view that 19 hectares also comprises an extensive tract of land. To provide some perspective, at least twenty three full size football pitches would easily fit into an area of this size. Given that the Framework is not ambiguous in stating that a Local Green Space designation is not appropriate for most green areas or open space, it is entirely reasonable to expect compelling evidence to demonstrate that any such allocation meets national policy requirements. Specific to demonstrating that Farleigh Fields, and Moor Lane Fields are not extensive tracts of land, no substantive or compelling evidence has been presented’.

3.24 In 2016, in relation to an area known as Humpty Hill being designated in the Faringdon Neighbourhood Plan, the independent examiner, Mr Ashcroft stated:

“Nevertheless having looked at the site both on my initial visit to the town in May and then on the morning of the hearing I have concluded that land at Humpty Hill is an extensive tract of land. It is 5.6 hectares in size and on the day of the hearing was partially-overgrown grazing land. Paragraph 77 of the NPPF indicates that local green space designation will not be appropriate for most green areas or open spaces. Whilst the circumstances are not identical it is also clear that other similar parcels of land elsewhere in other emerging neighbourhood plans have been considered by another examiner to be extensive tracts of land.”

3.25 Purton Policy 5 seeks to designate as open space an area of land of approximately 280 hectares which is without question and extensive tract of land, including having regard to the views of Inspectors in other Neighbourhood Plans.

3.26 The proposed policy designation does indeed appear to be a blanket designation of open countryside and a ‘back door’ way to achieve a Green Belt around the settlement by another name as highlighted and in complete conflict with the NPPF approach to Local Green Space and associated planning guidance.
3.27 To compound the issue it is further noted that Purton Policy 5 specifically identifies that the land is ‘allocated as open space to remain undeveloped’. This is entirely contrary to the national policy framework - even the approach to Local Green Space allows built development in a number of circumstances.

3.28 This blanket restriction approach is also contrary to the Wiltshire Core Strategy which in accordance with Core Policy 2 contains a number of ‘exception’ policies outside of settlement boundaries including tourism development (Core Policies 39 and 40), rural exception sites (Core Policy 44), specialist accommodation (Core Policy 47) and supporting rural life (Core Policy 48). Purton Policy 5 is contrary to a number of strategic local plan policies.

3.29 In summary, Castlewood consider that Purton Policy 5 fails the basic conditions for the following reasons:

- The policy is not sufficiently clear and unambiguous – it is not clear which ‘green areas’ are to be allocated as open space.
- The policy is not supported by proportionate, robust evidence – there is no specific landscape, open space or Local Green Space assessment of this area to justify that it should remain undeveloped.
- The policy appears to be an attempt to apply a Local Green Space designation across an extensive tract of land and as such conflicts with NPPF policies and guidance with regard the application of such designation.
- The proposed blanket development restriction is contrary to a number of Wiltshire Core Strategy policies which allow a development outside of the settlement boundary at Purton in a number of circumstances in accordance with Wiltshire Core Policy 2.
- The policy is an unjustified blanket restriction on all development, for which no compelling evidence exists, and as such is contrary to the presumption in favour of sustainable development and the need to plan positively to address the development needs of the area.

3.30 As such Castlewood consider that Purton Policy 5 fails the basic conditions in that it conflicts with national policy and guidance, does not promote sustainable development and is contrary to the strategic policies of the area. The policy should be removed from the plan.

4 Purton Policy 13: Development Principles

4.1 Having regard to national policy and guidance, neighbourhood plans may allocate sites for residential development over and above that required at a strategic level. Castlewood note that the Wiltshire Core Strategy, adopted in 2015, does not identify a specific number of homes as a target for the Parish to deliver. However, neighbourhood plans are more generally identified in Appendix C of the Core Strategy as a source of housing supply for the district across the plan period.

4.2 Castlewood note and commend that the Parish has sought to identify its own minimum housing target for the period between 2016 and 2026 which is stated as a minimum of 94 additional dwellings. The neighbourhood plan states, on page 34, that:

*the growth of the population in the parish identified from “Purton ~ Planning for the Future (2017)” predicts that it will grow by the end of the plan period in 2026 to about 4,618. It represents an additional 236 residents between now (2017) and the end of the plan period. To meet the predicted growth between 2016 and 2026, provision will be made available for a minimum 94 additional dwellings at Purton.*
4.3 To meet that need, Purton Policy 13 proposes the allocation of six sites within the settlement boundary, four of which were previously tested through the district-wide Wiltshire SHLAA and SHELAA process, with the addition of two sites at North View and the Former Youth Centre. In total these sites are identified for circa 75 homes.

4.4 In proposing site allocations, sites should be assessed through the neighbourhood planning process to determine whether they are either a) deliverable or b) developable (NPPF para 47).

4.5 To determine whether a site is deliverable, sites should be assessed to determine if they are i) available now, ii) suitable for development now and iii) have a realistic of delivering housing within five years (NPPF para 47 footnote 11).

4.6 To determine whether a site is developable, sites should be assessed to determine if they are in a suitable location for development, and that there is reasonable prospect that the site is available and could be viably developed at the point envisaged (NPPF para 47 footnote 12).

4.7 Having regard to national policy and guidance, neighbourhood plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency (NPPF para 17).

4.8 Neighbourhood Plans need to be deliverable (NPPG para 005) and, therefore, their policies should be clear and unambiguous, concise, precise and supported by appropriate evidence (NPPG para 041). To achieve this, neighbourhood plans should be supported with a proportionate and robust evidence base (NPPG para 040).

4.9 Whilst Castlewood commends the Parish’s endeavours to identify sites within the settlement to deliver the Parish’s housing requirement, it is not considered that the allocation of these sites through Purton Policy 13 meets the requirements of national policy and guidance and as such the basic conditions of the plan.

Figure 1: Proposed site allocations within the settlement boundary
4.10 The six sites (as shown also on Figure 1 above) are identified in Purton Policy 13 for approximately 75 dwellings and as such the policy implies that such sites are allocated for development:

- Site 66 – Derelict Cottage Farm
- Site 91 – Land at Northcote
- Site 3316 – three sites at Dogridge
- Site 3318 – Hooks Hill
- Land at North View
- Former Youth Centre (with the adjoining garages and green space).

4.11 Evidence in support of the proposed allocations in Purton Policy 13 is provided in the form of a site assessment paper, set out in the evidence base document *Purton: Planning for the Future*.

4.12 Purton Policy 13 does not state the number of units each individual site is expected to deliver. Instead an overall figure is provided as being ‘approximately 75’. As such the policy is not sufficiently clear as to how a decision maker should respond to development proposals on each site having regard to each site’s constraints and opportunities.

4.13 For each of the sites, the evidence base identifies their maximum capacity (in being expressed as an ‘up to’ figure), resulting in a total of 75 homes.

4.14 Turning to the site assessment criteria, 23 criteria are used in total, with each attracting a weighting of importance. Of the total 23, 16 relate to distance to a range of services and facilities, and of those 16 distance criteria, 9 are weighted as high importance, 5 of medium importance and 2 of low importance.

4.15 There are a further 6 criteria, which include site access, proximity to allotments, potential for flooding, impact on skyline or view, and the potential to adversely affect heritage assets. All 6 are rated as being of comparatively low importance to the site assessment. Additionally, 1 criterion includes a combination of proximity to services, ease of accessing links to work, reducing on road parking, congestion, and biodiversity enhancement.

4.16 Therefore, it is considered that the site assessment is heavily weighted towards distance and proximity to facilities and services. Whilst it is accepted that there has been some consideration of wider planning concerns, a robust assessment to determine whether the sites are suitable, available and achievable along with their likely capacity has not been presented (NPPF para 47).

4.17 Within that context, each of the proposed site allocations within Purton Policy 13 and the method by which they were determined is discussed below. It is noted that in accordance with Wiltshire Core Policy 2 there is a Presumption in Favour of Sustainable Development within the settlement boundaries.

**Site 66 – College Farm (Derelict Cottage Farm)**

4.18 Site 66 is a SHELAA site located off High Street, adjacent to the edge of the settlement, with open countryside beyond. The site consists of a derelict farmyard with a gross site area of 0.64 hectares comprising a series of farm outbuildings and barns.

4.19 In the neighbourhood plan site assessment, the site is identified as having potential for up to 16 homes but is proposed to be allocated for a maximum 11 homes at the rear of the site due to the proximity of designated heritage assets.

4.20 Located on site is a Grade II listed Granary and the site is the farmyard to the adjacent Grade II* listed College Farmhouse. Also adjacent are a Grade II listed outbuilding and Grade II listed gateway. The site is within the designated Conservation Area.
4.21 The proposed access to the site is noted as poor and the visibility splay would need to be increased. This is acknowledged as likely to affect the historic rubble wall along the High Street which given the context of the site is likely to be curtilage listed as it appears to define the historic farmyard.

4.22 Included in the evidence base is a short description of each listed building, which are identified as ‘potentially affected’ by the allocation and Purton Policy 13 requires that development on the site should respect the specific character of the Conservation Area and setting of Purton’s historic buildings.

4.23 The site appears to be part of the historic setting of the Grade II* listed farm house and as such is of considerable sensitivity. There appears, however, to be no evidence provided as to the significance of the heritage assets, nor whether development on this site will be suitable and/or the impact of the proposed allocation on the significance of the heritage assets.

4.24 Castlewood consider that an assessment of the significance of the heritage assets to be affected and an assessment of the impact of development on the designated heritage assets is required in accordance with national policy (NPPF paras 126 & 129). Without such assessment it is considered that the allocation of the site is contrary to national policy.

4.25 There also appears to be no assessment of whether access to the proposed allocation could be created that meets appropriate highway standards. There is no evidence to indicate a site allocation for 11 dwellings would be considered acceptable on highways grounds.

4.26 Finally, there is no indication that the site is ‘available’. The Wiltshire SHELAA states that the availability of the site is unknown.

4.27 In summary, Castlewood do not consider that there is sufficient robust evidence to justify the allocation of Site 66 College Farm. The site is subject to a number of constraints, in particular access and the impact on the character and setting of Grade II and Grade II* listed buildings, which have not been subject to a proportionate and robust site assessment which as required by national planning policy.

Site 91 – Land at Northcote

4.28 Site 91 is a SHELAA site located off High Street within the built up area of the settlement and surrounded by existing residential areas. The site consists of two large detached homes with associated landscaped gardens, residential outbuildings and garages.

4.29 The site comprises 0.62 hectares and is identified in the neighbourhood plan assessment as having potential for up to 15 homes.

4.30 The site abuts the Conservation Area along the High Street to the north with listed buildings opposite including the Purton War Memorial (Grade II) and College Farmhouse (Grade II*). Again no assessment of the potential impact on these heritage assets is presented although a set back of development from the High Street is suggested. However, no evidence has been provided as to the significance of the heritage assets and the impact of the proposed allocation.

4.31 In addition the site lies in an area of more spacious character of semi-detached and large detached properties. The assumed development of 15 dwellings implies a relatively dense development in this context which is unlikely to reflect the character of this area to address the relevant policies of the Wiltshire Core Strategy and the objectives of the neighbourhood plan. It is noted that an application for the erection of two bungalows on half of the site (Northcote) was previously refused (N/05/01909/OUT).

4.32 It is noted that the site is already occupied by two large dwellings. The Wiltshire SHELAA does not indicate that the site is available and as such it cannot be considered deliverable or developable.
4.33 In summary, Castlewood do not consider that there is sufficient robust evidence to justify the allocation of Site 91 Land at Northcote. There is no evidence to demonstrate that the development of 15 dwellings on the site would respect the character of the area or indeed that the site is available for development.

Site 3316 – Three sites at Dogridge

4.34 Three small sites (referred to here as north, south, and west) comprise site 3316 which is in total an area of 0.24ha. The sites together are assessed to have a capacity of 10 dwellings.

4.35 The south site is a small area of mown verge with extant planning permission for two bungalows with associated car parking and landscaping (15/12164/FUL). The west site is a small area of garages with extant permission for the demolition of 12 garages and construction of 6 x 1 bed and 2 x 2 bed flats, along with landscaping, car parking (16/07507/FUL). As such these parts of the site already have permission for 10 dwellings. It is not necessary, therefore, to allocate these site in the plan.

4.36 The north site is approximately 0.15 hectares in size and comprises two linear lines of garages. Whilst previously developed land, the narrow, linear nature of this parcel of land will make it difficult to develop and as such development capacity will be limited. Furthermore, it is unclear as to whether the garages are all under single ownership.

4.37 In summary, Castlewood do not consider that there is sufficient robust evidence to justify the continued allocation of Site 3316 Land at Dogridge for 10 dwellings.

Site 3318 Hooks Hill

4.38 Site 3318 is a SHELAA site with an existing residential development comprising 25 retirement apartments as part of a sheltered housing complex. The site is located on Hooks Hill, which is accessed from High Street.

4.39 The site is 0.53 hectares in size and is proposed to be allocated for up to 20 dwellings. As such the proposed allocation of the site is for a reduction in the number of dwellings – a net loss of 5 dwellings. As such the site will not contribute toward the 75 home target identified in Purton Policy 13.

4.40 Furthermore, as a previously developed site within the settlement boundary there is in-principle support for the redevelopment of the site through the Wiltshire Core Strategy. The specific identification of the site in Purton Policy 13 does not add any locally specific detail to this. Furthermore the proposed development on the site would result in a net loss against the Parish’s housing target rather than a net gain of 20 dwellings. In summary, Castlewood do not consider that there is sufficient robust evidence to justify the specific allocation of Site 3318 Hooks Hill.

Land at North View

4.41 Land at North View is not included in the Wiltshire SHELAA. However, it is noted that the site has recently secured consent for the erection of 11 dwellings (16/10143/FUL). The inclusion of the site within Purton Policy 13 is, therefore, now unnecessary.

Former Youth Centre

4.42 The former youth centre site is located off Reid’s Piece and comprises 0.27ha. It is identified as having potential for up to 7 houses.

4.43 The site lies within the built up area of the settlement and as such development on the site is acceptable in principle in accordance with Wiltshire Core Policy 2. Purton Policy 13 does provide...
specific additional local guidance as to the development of the site to warrant its allocation in the
eighbourhood plan.

4.44 Purton Policy 13 does state that the ‘Land at the former youth centre is particularly suited to
providing low cost homes’. This policy does not qualify what is meant by low cost homes and this
reference is too imprecise to direct a decision maker considering a proposal on the site.

4.45 Castlewod do not consider that there is sufficient robust evidence or locally specific guidance to
justify the allocation of the Former Youth Centre site within Purton Policy 13.

Summary and Conclusion – Purton Policy 13

4.46 Overall, Purton Policy 13 seeks to allocate land for 75 homes across six sites within the settlement
boundary of the village. It is noted that Wiltshire Core Policy 2 already establishes a presumption
in favour of development of sites within the settlement boundary. To accord with the basic
conditions and national planning policy and guidance the development allocated on the sites listed
in Purton Policy 13 should be clear and unambiguous, supported by robust evidence and locally
distinct. Castlewood’s brief review of the sites may be summarised as:

- Site 66 – Derelict Cottage Farm – the site lies within the setting of a Grade II* listed building
  and there is no robust evidence addressing the potential impacts on heritage assets or
  works required for access – contrary to national policy. There is no confirmation that the
  site is available.

- Site 91 – Land at Northcote - There is no evidence to demonstrate that the development
  of 15 dwellings on the site would respect the character of the area or indeed that the site
  is available for development.

- Site 3316 – three sites at Dogridge – two of the three sites now have planning consent.
  The remaining land is a narrow linear strip of existing garages, ownership or multiple
  ownership of which is unclear. The configuration of the site will make it difficult to
  development with an impact on development capacity. There is insufficient evidence to
  justify the allocation of the remaining garages.

- Site 3318 – Hooks Hill – the site is already in residential use as 25 residential units. The
  plan proposes 20 units on the site which is a net loss of dwellings which appears not to
  have been factored in to Purton Policy 13.

- Land at North View – the site now has planning consent and as such it is unnecessary to
  allocate the site.

- Former Youth Centre – the principle of development on the site is already accepted
  through the Wiltshire Core Strategy. Purton Policy 13 does not any specific local guidance
  as to the development of the site to justify its allocation other than an ambiguous reference
to low cost housing.

4.47 Overall it is clear that Purton Policy 13 will not deliver an additional 75 dwellings. Castlewod
consider that the lack of evidence behind and guidance within the Policy is such that it is not clear
and unambiguous and nor does it add local specific guidance to each of the sites. As such the
proposed allocations conflict with national policy and guidance and should be removed from the
plan.
5 Purton Policy 14 Development outside settlement boundary at Restrop Road

5.1 Purton Policy 14 recognises that small infill housing sites will not yield the type of housing which the Parish needs such as affordable housing and properties for first time buyers. In response the Plan promotes development on land outside the settlement boundary to meet these needs.

5.2 It is noted that the Wiltshire Core Policy 2 enables neighbourhood plans to alter the defined limits of development through the identification of sites. However, Purton Policy 14 does not achieve this as it does not identify a specific site and as such does not seek to redefine the settlement boundary.

5.3 Purton Policy 14 identifies an ‘area of search’ for up to 40 smaller homes including affordable housing, houses for first time buyers, smaller properties for those who wish to downsize and also properties suited to older persons including bungalows.

5.4 The land identified is on the southern edge of the village at Restrop Farm. The land has been assessed as two parcels of land – Site 470 Land at Restrop (1.4ha) and Site 440 Land of Willis Way (3.5ha).

5.5 The land at Restrop Farm (Site 470) is currently subject to a planning application by Persimmon Homes for 38 homes 16/10513/FUL. It is noted that the application has been pending for some time without a decision.

5.6 Part of land off Willis Way is included within the area of search. Castlewood understand that there are currently no rights to access the centre of the village via Willis Way or other access connections to the east. Access to land off Willis Way is currently therefore required direct to Restrop Road. Accordingly the proposed area of search has been extended to include part of the Land off Willis Way where it adjoins Restrop Road. The strip of land included, however, does not respect existing natural boundary features.

5.7 The proposed allocation of up to 40 homes for the site is likely to be largely met at Restrop Farm (Site 470) yet there remains significant additional land within the allocation off Willis Way which whilst adjoining the settlement, lacks good connections to the village.

5.8 By implication, the whole of the area of search is implied to be suitable for development, yet should the whole area be developed then the assumed allocation of 40 dwellings would be significantly exceeded. As currently proposed, therefore, the Purton Policy 14 area of search is ambiguous and does not provide sufficient certainty to a decision maker as to how to respond to proposals across the site. This in part reflects the evidence base which is not sufficiently robust and does not consider the site as a whole.

5.9 In addition whilst Purton Policy 14 seeks up to 40 ‘smaller homes’ of various types no specific mix is provided within the policy to enable a decision maker to judge whether any proposed development can comply with the policy.

5.10 Castlewood would further highlight that whilst the views of the community may prefer a development of no more than 40 homes, artificially limiting the capacity of the land by imposing a cap on the amount of development coming forward is contrary to the cost-benefit approach of national policy in addition to the requirement to plan positively (NPPF para 16). Purton Policy 14 in effect establishes an artificially low development limit over the area of search.

5.11 Whilst Castlewood commends the Neighbourhood Plan Group for seeking to address housing needs outside of the settlement boundary, Purton Policy 14 as currently proposed is not considered to accord with the basic conditions in so far as:
• The Policy is not sufficiently clear and unambiguous or supported by proportionate and robust evidence with regard to development across the site noting that the proposed development cap can be met on only half the site at Restrop Farm as evidenced by the current planning application there.

• The Policy is not sufficiently clear and unambiguous with regard to the type and mix of homes which are sought on the site;

• The proposed development cap is contrary to the positive approach to sustainable development within national planning policy;

• The proposed area of search approach does not accord with Wiltshire Core Policy 2 as it does not identify a specific site for development and does not seek to redefine the settlement boundary accordingly.

5.12 Further to Castlewood’s comments with regard Policies 5, 13 and 14, it is apparent that the Parish’s housing target of 94 additional dwellings will not be robustly met through the plan as currently drafted.

5.13 It is noted that the Purton Parish Plan also identifies that sites for 24 affordable homes should be identified. As noted in the neighbourhood plan, the delivery affordable housing is the key driver behind the identification of sites on the edge of the settlement which are more likely to be able to deliver affordable housing.

5.14 A site of 40 homes (as proposed in Policy 14) at the Wiltshire policy rate of 40% affordable housing will only deliver 16 affordable homes. There appears therefore a need to identify additional land on the edge of the settlement to deliver affordable housing requirements.

5.15 Castlewood have land under its control at South Pavenhill Farm, Purton and confirms that this land is available and suitable for development. The site has been considered in the Wiltshire SHELAA and neighbourhood site assessment as site 3469. The site is assessed as being suitable, available and deliverable.

5.16 Castlewood would accept a limit of development as suggested in the neighbourhood plan site assessment and a site capacity of 50 houses within which affordable housing, first time buyer housing and older persons housing could be delivered. It is understood that the site has not been preferred by the Parish due to access concerns but Castlewood consider that appropriate vehicular and pedestrian access can be provided.

5.17 The development potential of Land at South Pavenhill Farm may be summarised as:

• Well related to the existing built up area of the village - particularly the northern 2ha part of the site which adjoins Ringsbury close and has capacity for around 50 dwellings;

• Access can be achieved direct to Pavenhill and also to Ringsbury Close;

• Located in close proximity to bus services to Swindon and bus stops within reasonable walking distance (800m);

• Within walking distance of village facilities including a shop at Pavenhill;

• Located within a low risk flood zone (Flood Zone 1);

• The site is not subject to any on site designations;

• Largely contained from the wider landscape by existing housing and landscaping/hedgerows (particularly the northern part). A right of way passes along the northern edge. Impact on the
right of way and landscape can be managed through the provision of new landscaping and sensitive design (including landscape buffer or set back to Right of Way and reduced building heights where appropriate);

- Not subject to any on-site heritage designations although Pavenhill Farmhouse (listed Grade II) lies opposite the site and Ringsbury Fort Scheduled Ancient Monument lies to the south west. The setting of these assets can be preserved through sensitive design and landscape buffers/set backs where required.

5.18 Castlewood would welcome a discussion with the Neighbourhood Plan group to discuss its concerns with the neighbourhood plan as currently drafted and the potential of Land at South Pavenhill Farm to meet the Parish’s development needs.
Figure 1: Proposed site allocations within the settlement boundary
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 44
Response Date 19/03/18 12:00
Status Processed
Submission Type Email
Version 0.4
Files Rep 44 Wilts Council Representation.pdf
Comment

Please find comments attached
Wiltshire Council Response to draft Purton Neighbourhood Development Plan (Regulation 16 Consultation)

1. Context

1.1. Officers of Wiltshire Council have been advising Purton Parish Council and its Steering Group about the neighbourhood planning process and the requirements to help ensure the neighbourhood development plan meets the basic conditions.

1.2. The Purton Neighbourhood Area was designated on 5 December 2016. Purton Parish was formerly part of the North East Wiltshire Villages Neighbourhood Area. The parish made the decision to pursue a separate neighbourhood plan for the parish of Purton in January 2016 and followed the necessary process to apply for a separate neighbourhood area early in 2016.

1.3. A consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended) took place over the period 3 July to 15 August 2017.

2. Submission of the draft neighbourhood plan

2.1. Wiltshire Council, as local planning authority, considered the submitted plan and is satisfied that it complies with all the relevant statutory requirements set out in Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The submitted Purton Neighbourhood Development Plan (PDP) includes a map of the neighbourhood area, was accompanied by inter alia: a Basic Conditions Statement, the SEA Screening Decision, Habitat Regulations Assessment Screening, a Consultation Statement, and a series of evidence papers.

2.2. This note sets out Wiltshire Council’s response to the ‘Regulation 16’ consultation on the PDP, which was submitted to the Council in January 2018. Following validation Regulation 16 consultation started on Monday 5 February 2018 and is due to finish on Tuesday 20 March 2018.

2.3. The comments that follow are made in the interests of ensuring that the submitted PDP is in general conformity with the strategic policies of the adopted Wiltshire Core Strategy1 (WCS) and can be effectively utilised by the Council in determining planning applications within the Parish of Purton.

3. Strategic Environmental Assessment (SEA)

3.1. Natural England, Environment Agency and Historic England, as statutory consultation bodies under Regulation 9 of the SEA Regulations, were consulted by Wiltshire Council on an SEA screening process in February/March 2017. Following amendments to the initial draft of the Purton Neighbourhood Plan in consultation with Historic England, the Screening consultation concluded that no SEA was required.
3.2. The final decision that no SEA was required to support the preparation of the PDP formed part of the Regulation 15 submission pack.

4. Habitats Regulation Assessment (HRA)

4.1. The PDP was screened in accordance with the provisions of the Habitats Regulations in August 2017. The screening process concluded that the draft plan would have no likely significant effects upon any European designations. The screening opinion is attached at Appendix 1 for information.

5. The emerging development plan

5.1. Wiltshire Council is currently preparing two development plan documents which may be referred to by contributors to this PDP regulation 16 consultation. For information the current position in relation to these documents is set out below.

Wiltshire Housing Site Allocations Plan

5.2. The Wiltshire Housing Site Allocations Plan (HSAP) includes proposals to amend the settlement boundary for Purton. The Wiltshire Local Development Scheme anticipates that the draft HSAP will be submitted to the Secretary of State for examination this summer. The HSAP does not include any new allocations in Purton.

5.3. The PNP has been prepared to be in conformity with the adopted development plan and replicates the settlement boundary on the Wiltshire Policies Map. The PNP identifies sites currently within the settlement boundary as specific allocations to provide certainty on the suitability of these sites for housing. It should be noted that the adopted settlement boundary may change during the lifetime of the PNP should the current draft proposals in the HSAP be adopted.

Wiltshire Local Plan Review

5.4. Wiltshire Council is working with Swindon Borough Council to review the strategic policy for Swindon and Wiltshire through a Joint Spatial Framework. An initial issues consultation took place towards the end of 2017 which included new information about housing and employment need in Swindon and Wiltshire for the period 2016 to 2036. The Wiltshire Local Development Scheme anticipates a second early stage of consultation on the emerging Joint Spatial Framework during the summer. The evidence published to support the local plan review has not been tested through examination.

5.5. Paragraph 184 of the National Planning Policy Framework states that ‘Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan’ The PNP has been prepared to be in conformity with the adopted Wiltshire Core Strategy for the period 2006 to
2026 and is not the appropriate vehicle to introduce new strategic policy which is being discussed as part of the Wiltshire Local Plan Review.

6. Comments on the submitted plan

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<th>Section</th>
<th>Comments</th>
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| **Introduction** | The PNP recognises that the plan, once made, will sit alongside the Wiltshire Core Strategy and that policies of the WCS are applicable in the neighbourhood plan area. The reference to specific WCS policies of particular relevance to the PNP is welcomed.  
Para 1.19 could be updated. Cricklade NP was ‘made’ on 8 March 2018.  
The monitoring of all plans is a vital component of the planning system. As such, identifying the role of monitoring in the plan is welcomed as is the acknowledgement that a significant change in national or strategic policy could trigger a review of the plan. |
| **Employment**  
**Purton policy 1** | The objective to positively encourage local employment through the plan to seek to reduce out commuting is supported. Clarification is needed in Purton Policy 1 to make it clear that the intention is to retain land and buildings in employment use at Purton Brickworks and Penn Farm Industrial Site for employment to protect these valuable local employment sites from alternative development. |
| **Transport**  
**Purton Policies 2 and 3** | Purton policy 2 makes reference to the use of CIL receipts. It may be useful in the supporting text to clarify that this is a priority project for the use of CIL receipts received by Purton Parish Council as this project is not currently on the Wiltshire Community Infrastructure Levy Regulation 123 List, September 2016. |
| **Environment**  
**Purton Policies 4, 5, 6 and 7** | Amendments have been made to the Environment section of the PNP in response to earlier comments by Wiltshire Council and there are no further observations. |
| **Facilities**  
**Purton Policies 8, 9, 10, 11 and 12** | The Wiltshire Council welcome the importance the Parish Council place on their existing Leisure & Play Facilities. Might it be possible to consider inserting into Purton Policy 12 (or Purton Policy 3) a requirement that new residential development should, where possible, include safe cycling and walking routes not only to the village centre but also existing leisure & play facilities?  
It may also help to reference the Wiltshire Playing Pitch Strategy as evidence supporting Purton Policy 12 as the Royal Wootton Bassett & Cricklade community area profile mentions key facilities in Purton. |
During the Regulation 16 consultation period Wiltshire Council published the final Housing Land Supply Statement (base date: April 2017) in March 2018. This does not change the conclusion that the indicative housing requirement for the Royal Wootton Bassett and Cricklade Community Area has been met (Appendix 6). However, this latest reference could be inserted in the Plan.

The housing requirement in the WCS Royal Wootton Bassett and Cricklade Community Area is expressed as ‘approximately’ (Core Policy 19). The WCS also identifies Purton as large village where development ‘will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities’ (Core Policy 1). The allocations proposed in the draft PNP, therefore, are in accordance with the core strategy and appropriate for the village.

It should be noted in the supporting text that Purton falls within a 40% affordable housing contribution area (CP43). The 40% contribution will apply to the Restrop Rd site. The remaining sites will need to be assessed once more details are known through the planning application process. Affordable housing is looked at on a site by site basis and has to take account of the current demonstrable need at the time of any planning application and the 40% threshold only applied to sites of 11 or more homes in accordance with latest Government advice.

19 March 2018
Appendix 1:

Habitats Regulation Assessment (HRA) Screening Opinion
Re: Habitats Regulations Screening Assessment of Purton Neighbourhood Plan

The Council has recently reviewed the current draft of the Purton Neighbourhood Plan for potential impacts upon the network of European protected sites known as Natura 2000. The attached ‘Habitats Regulations Assessment’ (HRA) is made on behalf of Wiltshire Council, the competent authority for the plan, and is in accordance with relevant statutory requirements and best practice.

I note that the plan allocates relatively small areas of residential development, well within the projections of the Wiltshire Core Strategy for the area. The HRA has concluded that your draft plan would have no likely significant effects upon any European designations. Please note that HRA is an iterative process and future iterations of the plan should also be screened if the policies change significantly.

Yours sincerely,

E.L. Fisher

Emma Fisher
Ecologist

Direct line: 01225 718688
Email: emmal.fisher@wiltshire.gov.uk
Purton Draft Neighbourhood Plan Habitats Regulations Assessment (HRA) Screening

1. Screening Methodology

Each element of the draft plan\(^1\) has been categorised against the screening criteria developed on behalf of, and endorsed by Natural England\(^2\). This approach is advised to help provide a clear audit trail for the assessment of local planning documents (which may be applied to neighbourhood plans), and if necessary identify the need for the policies to be removed / amended or new policies added to be certain that the plan will not have a significant negative effect on a European site.

The criteria used were as follows:

- **Category A1**: The policy will not itself lead to development e.g. because it relates to design or other qualitative criteria for development;
- **Category A2**: The policy is intended to protect the natural environment;
- **Category A3**: The policy is intended to conserve or enhance the natural, built or historic environment;
- **Category A4**: The policy would positively steer development away from European sites and associated sensitive areas;
- **Category A5**: The policy would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and associated sensitive areas.
- **Category B** – no significant effect;
- **Category C** – likely significant effect alone; and
- **Category D** – Likely significant effects in combination.

The effect of each draft policy has been considered both individually, and in combination. The effects of the whole plan have also been considered in combination with the adopted Wiltshire Core Strategy.

2. Wiltshire Core Strategy HRA

Wiltshire Core strategy HRA derived a set of parameters by which to determine the likelihood of potential impact on Natura 2000 sites. Applying these parameters to the Purton Neighbourhood Plan Area identifies the following issues to be assessed.

**Recreation**
- Clattinger Farm Special Area of Conservation (SAC)

**Hydrology / Hydrogeology**
- Kennet and Lambourne Floodplain SAC
- Hackpen Hill SAC
- Kennet Alderwoods SAC
- River Lambourne SAC
- Cotswolds Beechwoods SAC

---

\(^1\) Purton Draft Neighbourhood Plan (June 2017)
• Rodborough Common SAC
• North Meadows and Clattinger Farm SAC

_Nitrogen Deposition_

• Porton Down Special Protection Area (SPA)
• Salisbury Plain SAC / SPA
• Southampton Water SPA
• Clattinger Farm SAC
• River Avon SAC
• Rodborough Common SAC
• Cotswolds Beechwoods SAC

Draft policies within the draft Purton Neighbourhood Plan have been screened against each of the above potential impacts, for each Natura 2000 site.

3. **Draft Purton Neighbourhood Plan**

The draft Purton Neighbourhood Plan includes draft policies to address the following policy objectives:

• Employment
• Transport
• Environment
• Facilities
• Housing

All parts of the plan have been screened for potential impacts upon the Natura 2000 network, as set out in Section 4.
4. Initial Habitats Regulations Screening Assessment of the Draft Purton Neighbourhood Plan
   a. Screening assessment of individual policies

A / B (Green) – Screened out
C / D (Red) – Screened in

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<tr>
<th>Policy Area</th>
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<th>Comments and recommendations</th>
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| Employment  | Policy 1: To enhance the prospects for local employment  
Development of the undeveloped land at:  
- Land at Mope Lane identified as part of Purton Brickworks and,  
- Penn Farm Industrial Site.  
To provide opportunities for local employment within Use Class B1 of The Town and Country Planning (Use Classes) Order 1987 (as amended). Development to include opportunities for small business units and incubator units for start-up enterprises including such activities as communication technologies, knowledge based and creative industries, environment, rural enterprises, accounting and financial services or similar.  
Conditions:  
- Mopes Lane (Purton Brickworks): Development of the site shall respect the character and setting of the Grade II listed House at 33 New Road (List entry 1283837) which is located next to the southeast corner of the site.  
- Penn Farm Industrial Site: development should only take place if the land gains vehicular access via Mopes Lane as the existing access to New Road from the main road does not have the capacity to take additional commercial traffic. | B | |
| Transport   | Policy 2: To improve road safety  
The road junction and parking area at Lower Square at the junction of the High | A1 | |
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<td></td>
<td>Street, Station Road and Church Street shall be the subject of a feasibility study funded by CIL resources with a view to changing the existing arrangement to improve pedestrian and traffic safety.</td>
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| Environment | Policy 3: Footpaths  
New development shall retain and preserve existing footpaths and bridle ways and footpaths in new developments shall provide links to existing pedestrian routes where appropriate. | A1                            |                             |
|             | Policy 4: To protect key local landscapes  
The area shown in green on Map 5 is allocated as open space to remain undeveloped to preserve locally important views both to and from the escarpments to the north of the village, around Francombe Hill (known locally as High Hills), along the western side of the village up to and including the vista leading up to and around the ancient monument known as Ringsbury Camp. These views are shown on Map 5 which indicates sensitive views related to the existing built areas. Although not named specifically in the Purton Parish Plan consultation, the area named as Purton Common also provides a significant view, lying between Vasterne Hill, Hoggs Lane and Witts Lane is also shown on Map 5 and shall be protected from development. | A2                            |                             |
|             | Policy 5: Settlement Identity  
The land between the western edge of the Swindon urban area and the eastern boundaries of Purton and Purton Stoke, and the hamlets of The Fox and Hayes Knoll to be retained as open countryside, primarily for agricultural use, to retain the rural quality and value of these settlements. | A3                            |                             |
|             | Policy 6: Flooding  
The land that adjoins the main Swindon to Gloucester railway line and comprises Common Farm, land behind Malfords, Locks Lane and part of Widham Farm south of the railway line and New Road to the north of the railway line, though classified for planning purposes as flood zone 1, it is prone to frequent flooding from surface water, see Map 6. Proposals putting forward for this land shall be supported by clear quantified evidence that there are no lower risk alternative | A1                            |                             |
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<td>sites available. Any proposals for development on this land shall demonstrate how flood mitigation measures would prevent the flooding of this land and any other land that would be affected by the development.</td>
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<td>Facilities</td>
<td>Policy 7: Pavenhill shops Any redevelopment of the land shown on Map 7 (The Pavenhill Shopping Parade) shall comprise small retail units to serve the needs of the local community. A limited number of residential units would be acceptable to enhance the financial viability of a redevelopment scheme provided adequate provision is made for parking and deliveries so that the amenity of nearby residential properties is not adversely affected.</td>
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<td>Policy 8: Facilities for the elderly The land shown on Map 7 known locally as 'The Cedars' is allocated for the provision of supported living accommodation for elderly people who have an association with the Parish and who wish to continue to live in Purton village.</td>
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<td>Policy 9: Cemetery extension The land shown on Map 7 is allocated for an extension to Purton cemetery to meet the future needs of the Parish.</td>
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<td></td>
<td>Policy 10: Allotments The Allotments at Pavenhill, Poor Street (Restrop Road) and off Church Path shown in Map 8 are to be retained for the use of the local community. Should any of the designated areas be favoured for development then as part of any permission an alternative and equivalent area of land be secured by condition in order to provide a social and recreation focus for use by the community.</td>
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<td>Policy 11: Play areas, leisure and open space The War Memorial and Village Centre, Play Close, the Venture play area, the Dingle and the Cricket Ground identified in Map 9 shall be retained for the use of the community.</td>
<td>A1</td>
<td>This area together with existing rights of way could be linked to improve green infrastructure within the parish.</td>
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<td>Housing</td>
<td>Policy 12: Development Principles</td>
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<td>Policy Area</td>
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<td>Within the settlement boundary for Purton land is identified with potential for approximately 75 homes at the locations listed below and identified on Map 11.</td>
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<td>• Site 66 - Derelict Cottage Farm (College Farm)</td>
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<td>• Site 91 - Land at Northcote</td>
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<td>• Site 3316 - three sites in Dogridge</td>
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<td>• Site 3318 - Hooks Hill</td>
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<td>• Land at North View</td>
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<td>• Former Youth Centre (with the adjoining garages and green space)</td>
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These sites within the settlement boundary are known to be available for development for housing within the plan period and should be brought forward before land outside the existing settlement boundary.

Proposed development should:

• respond to the housing needs of Purton in terms of delivering affordable housing, houses for first-time buyers, smaller properties for those who wish to downsize or properties that are suited to older persons (including bungalows) in accordance with Wiltshire Core Strategy Core Policies 43 and 45. Land at the former youth centre is particularly suited to providing low cost homes;

• respect the specific character of the Conservation Area and the setting of Purton's historic buildings, including identifying how the form and layout of the development reflects the vernacular, design and materials of the Purton in accordance with Wiltshire Core Strategy Core Policies 57 and 58. This is particularly relevant in relation to allocated sites at Derelict Cottage Farm, land at Northcote and Hooks Hill which affect the immediate setting of designated heritage assets;

• protect and preserve biodiversity and the landscape setting of the village in accordance with Wiltshire Core Strategy Core Policies 50 and 51;

• wherever possible retain and re-use existing buildings and materials on site; and

• retain existing mature trees and hedgerows.
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</table>
| Policy 13: Development outside settlement boundary | Land indicated on Map 12 is identified as an area of search for the provision of up to 40 smaller homes including affordable housing, houses for first-time buyers, smaller properties for those who wish to downsize and also properties suited to older persons including bungalows. Proposed development should:  
- respect the character and setting of heritage assets in the vicinity of the site including the Grade II* Restrop House and the Scheduled Monument at Ringsbury Camp  
- provide strategic landscaping to the western and southern edges of the site which retains and reinforces existing hedges and trees  
- create a green area adjacent to the Restrop Road so that development is set back from the road  
- not prohibit a potential future road connection to the remainder of the site or road connection to the rear of the Schools and  
- protect and preserve biodiversity on the site  
- mitigate the impact of traffic with measures to reduce the speed of traffic on Restrop Road where it enters the villages to calm traffic and improve road safety. | B | |
b. Assessment of all elements of the plan ‘in combination’
   - The draft policies would not have any in combination effects.

c. Assessment of the effects of the plan as a whole, in combination with Wiltshire Core Strategy
   - The plan would not have any in combination effects with the Wiltshire Core Strategy and the Swindon Core Strategy.

5. Conclusion
The draft policies allocate eight small sites for the development of 75 homes within the settlement boundary for Purton and one site for the provision of up to 40 small homes outside the settlement boundary. Nonetheless, these sites are considered highly unlikely to result in any likely significant effects upon the Natura 2000 network due to the location, scale and nature of the proposals. The draft policies largely provide qualitative criteria for development focused on protecting the local environment and guiding the design of new housing, and would therefore have no likely significant effects upon the Natura 2000 network.

It can therefore be concluded that the Purton Neighbourhood Plan would have no likely significant effects upon the Natura 2000 network alone or in combination, and no appropriate assessment is considered necessary by Wiltshire Council as the competent authority.

Please note that HRA is an iterative process and future iterations of the plan should also be screened if the policies change significantly.

Assessment completed by Emma Fisher, Ecologist, Wiltshire Council 10/08/2017
**Comments**

**Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)**

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To which part of the Purton Neighbourhood Plan does your comment relate?

Purton Neighbourhood Plan

Comment

Please note that I support the Purton Neighbourhood Plan
Thank you for your Regulation 16 consultation on the Purton Neighbourhood Plan.

We have been involved in quite extensive liaison with the community and your authority in connection with the previous Regulation 14 consultation and SEA Screening exercises. The conclusion to this activity was a willingness on our part to defer to your authority's conservation team in the matter of determining the suitability of the proposed site allocations and related policies as worded relative to their potential for (harmful) impact on designated heritage assets. I attach relevant correspondence for information.

Our response to the current consultation is therefore to reiterate this advice, and ask your authority to ensure that reassurance on the matter in question is forthcoming if necessary, for its own satisfaction and that of the Examiner.

There are no other comments that we wish to make.
Dear Carolyn

Thank you for your latest consultation on the Purton Neighbourhood Plan.

I note all the amendments and additions to the evidence base you refer to below and have considered these in the context of the updated SEA Screening Report. I appreciate that this has been a protracted exercise overall and recognise the frustration it may have caused for those involved.

In our previous comments our overall position was that we were prepared to defer to the advice of the Council’s conservation officer on the points we had made. A carefully worded statement from the conservation officer concludes “that the level of information produced for this neighbourhood plan in respect of heritage is acceptable”. This falls short of explicitly confirming comfort with the site allocations and the policy provisions for their development from a heritage perspective but for the purposes of this exercise we shall assume that this is implicit and that there is no anxiety that development in accordance with the Plan will likely cause harm to heritage assets.

On that basis, and in accordance with our previous willingness to defer to the advice of the Council’s conservation team, I can confirm that we have no objection to the view that an SEA will not be required.

At the same time we reserve the right at the time of the Regulation 16 consultation to assure ourselves of the efficacy of the amendments and additions to the evidence base and Plan itself alluded to in the latest Screening Report.

Kind regards

David

David Stuart | Historic Places Adviser South West

Historic England | 29 Queen Square | Bristol | BS1 4ND
https://historicengland.org.uk/southwest

---

Dear David,

We have just received the submission version of the Purton Neighbourhood Plan from Purton Parish Council.

We have discussed the SEA Screening Opinion of the emerging plan a number of times over the past year. As part of the validation process we need to be clear that the three statutory bodies are content with the conclusions of the SEA screening opinion.

Since the first version of the screening opinion was issued the following amendments have been made.

1. Following the screening consultation in March 2017 further work was undertaken to address the discrete gaps in evidence identified by Historic England. This included reviewing policies 11 and 12 and adding a policy on Play Areas, Leisure and Open Spaces (therefore making policies 11 and 12
become 12 and 13 respectively). There was corresponding amendments made to the Planning for the Future Document used as part of the evidence base. This is detailed in section 6 of the revised screening opinion and at Appendix 1.

2. Following the screening consultation in March 2017 a detailed response to the concerns raised by Historic England was added to the SEA Screening Opinion to deal more specifically with the understanding of potential development on historic assets in Purton. This is detailed in Appendix 2 of the revised screening opinion. The views of Wiltshire Council's conservation officer on the Purton NP were also added (Appendix 3).

3. Following the Regulation 14 consultation in the summer 2017 the Parish Council have made some further changes to the draft Plan to respond to comments received which have also been reviewed to assess whether they could affect the original screening opinion. The conclusion has been added to Section 6 of the report.

The January 2018 version of the screening opinion is attached for your information.

Please could you confirm whether you are content that the screening requirements under EU regulations for SEA have been met.

Kind regards, Carolyn

Carolyn Gibson
Spatial Planning Manager - Economy

Economic Development and Planning
Wiltshire Council | County Hall | Trowbridge | Wiltshire | BA14 8JN
website: www.wiltshire.gov.uk

Please note my working days are Monday to Thursday.

From: Stuart, David
Sent: 14 August 2017 15:01
To: clerkpurton
Cc: Gibson, Carolyn
Subject: RE: PURTON NEIGHBOURHOOD PLAN

Apologies – previous advice attached.

David Stuart | Historic Places Adviser South West

Historic England | 29 Queen Square | Bristol | BS1 4ND
https://historicengland.org.uk/southwest

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Dear Deborah Lawrence

Thank you for your Regulation 14 consultation on the Purton Neighbourhood Plan.

We were in liaison on the content of the Plan and its supporting evidence base in early June when we provided our most recent advice (see attached).

This derived comfort from the involvement of Wiltshire Council’s conservation officer in the assessment of the proposed development sites. At the same time we drew attention to the desirability of confirmation of their advice being supplied in writing so that it could form tangible evidence and address those residual issues which we also identified.

The consultation (dated June) versions of the Plan and Purton ~ Planning for the Future appear identical to the drafts upon which our previous advice was based. It would also seem that the supporting documents on the Parish Council website do not contain a response to our advice and as a consequence there does not appear to be confirmatory evidence from the Conservation Officer to verify the suitability of the Plan’s site allocations from a heritage perspective.

We would therefore reiterate this desirability, coupled with a recommendation to review the status of policy 13 as an “area of search”. We would encourage your community to complete this simple exercise prior to the submission of the Plan to Wiltshire Council at which time we would be pleased to respond to the associated consultation with what should then be unqualified support.

Kind regards

David Stuart

David Stuart | Historic Places Adviser South West

Historic England | 29 Queen Square | Bristol | BS1 4ND
https://historicengland.org.uk/southwest
Re: Purton Neighbourhood Plan

As a statuary body, I am writing to inform you that our Neighbourhood Plan is now ready for its formal consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.

The consultation will run from Monday 3 July 2017 until 17:00 on Monday 14 August 2017.

I have attached a copy of the Plan and the supporting Purton ~ Planning for the Future are attached for your ease. These, together with all the following documentation is available on the Parish Council web site: site www.purtonparishcouncil.gov.uk/Neighbourhood-Plan.aspx

Draft Purton Neighbourhood Plan June 2017
Purton ~ Planning for the Future June 2017
Purton Second Statement of Consultation May 2017
Purton First Statement of Consultation January 2017
Purton Neighbourhood Area Decision Report
Area Notice for Area Designation Consultation Purton
SEA Screening Determination for the Purton Neighbourhood Plan
Application Form for Purton Neighbourhood Area Final

Should you wish hard copies, they can be obtained from Purton Parish Council’s Parish Clerk on request.[REDACTED]

You may comment on the Plan using the Feedback Form (preferred), which is available on the Parish Council Website, and send your comments:

• By email to: Clerk to the Council.[REDACTED]
• By hand to the Council Office at the Village Hall, Purton; or
• By post to: The Clerk, Council Office, Village Hall, Purton, SN5 4AJ.

Feedback from this consultation will be published on completion together with appropriate responses and any changes to be made to the final version before it is submitted to Wiltshire Council.

Should you require any further information, please do not hesitate to contact Purton’s Parish Clerk.

Yours Sincerely

[REDACTED]
Chair of Purton Parish Council

Purton Parish Council
Station Road
Purton
Wiltshire
SN5 4AJ
I am instructed by Mr Graham Higgins to respond specifically to the Council's comments on our original consultation submission made in August 2017. Our original consultation response raised an issue in relation to the fact that future housing opportunities in Purton Stoke were not referred to at all in the Neighbourhood Plan.

We accept the Council's point in their formal response that in terms of future housing development, all 'major' growth would be better suited in Purton Village. However, we consider that the draft Neighbourhood Plan has missed an opportunity to enable some additional 'modest' growth (larger than 'limited infill' as defined in Core Policy 1) to come forward within Purton Stoke village. New housing in Purton Stoke could help support the existing services in the village such as the pub, the local bus service and the school bus service.

The Council have failed to provide evidence of where 'limited infill' can be delivered in Purton Stoke. We consider there are very few opportunities for 'limited infill' developments to take place. However there may be opportunities for sites within Purton Stoke to come forward which could deliver up to ten, small, family housing.

Developments of a modest size (as opposed to 'limited infill') in Purton Stoke will only come forward if the wording of the draft Neighbourhood Plan is amended. For this reason, we invite the Inspector to recommend that the draft Neighbourhood plan is amended to enable ‘modest’ housing developments for say up to 10 units within Purton Stoke. This would provide a way of helping meet the identified housing needs and supporting existing services in the whole Parish not just in Purton.
Ms Deborah Lawrence  
The Clerk,  
Purton Parish Council  
Council Office,  
Village Hall,  
Purton,  
SN5 4AJ

Sent via email:

20th March 2018

Dear Ms Lawrence,

PURTON NEIGHBOURHOOD PLAN CONSULTATION REGULATION 16

I refer to the above. I am instructed by Mr Graham Higgins to respond specifically to the Council’s comments on our original consultation submission made in August 2017. Our original consultation response raised an issue in relation to the fact that future housing opportunities in Purton Stoke were not referred to at all in the Neighbourhood Plan.

We accept the Council’s point in their formal response that in terms of future housing development, all ‘major’ growth would be better suited in Purton Village. However, we consider that the draft Neighbourhood Plan has missed an opportunity to enable some additional ‘modest’ growth (larger than ‘limited infill’ as defined in Core Policy 1) to come forward within Purton Stoke village. New housing in Purton Stoke could help support the existing services in the village such as the pub, the local bus service and the school bus service.

The Council have failed to provide evidence of where ‘limited infill’ can be delivered in Purton Stoke. We consider there are very few opportunities for ‘limited infill’ developments to take place. However there may be opportunities for sites within Purton Stoke to come forward which could deliver up to ten, small, family housing.

Developments of a modest size (as opposed to ‘limited infill’) in Purton Stoke will only come forward if the wording of the draft Neighbourhood Plan is amended. For this reason, we invite the Inspector to recommend that the draft Neighbourhood plan is amended to enable ‘modest’ housing developments for say up to 10 units within Purton Stoke. This would provide a way of helping meet the identified housing needs and supporting existing services in the whole Parish not just in Purton.

Yours sincerely,

[Signature]

[Signature]

[Signature]
Thank you for consulting the Environment Agency on the above Neighbourhood Plan. We have reviewed the Plan document dated December 2017.

We are pleased to see you have taken into account our comments in our letter of 04 August 2017, and amendments have been made accordingly. Therefore we have no further comments to add.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 49
Response Date 19/03/18 11:58
Status Processed
Submission Type Email
Version 0.3
Files Rep 49 representation.pdf

To which part of the Purton Neighbourhood Plan does your comment relate?

Policy 1

Comment

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements. **With this in mind I would strongly urge that when the council undertakes its viability testing for any proposed allocated sites it considers the impact the proposal may have on the railway infrastructure.** The cost of mitigating any impact may have a bearing on the viability and deliverability of any such proposed site.

Network Rail is a statutory undertaker responsible for maintaining and operating the country’s railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail’s infrastructure.

**Level Crossings – there are several level crossings within the plan area!**

Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals:

1. By a proposal being directly next to a level crossing
2. By the cumulative effect of development added over time
3. By the type of crossing involved
4. By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing
5. By developments that might impede pedestrians ability to hear approaching trains
6. By proposals that may interfere with pedestrian and vehicle users’ ability to see level crossing warning signs
7. By any developments for schools, colleges or nurseries where minors in numbers may be using a level crossing.

The Council have a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the rail volume or a material change in the character of traffic using a level crossing over a railway:
(Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010) to requires that … where a proposed development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over the railway (public footpath, public or private road) the Planning Authority’s Highway Engineer must submit details to both Her Majesty’s Railway Inspectorate and Network Rail for separate approval”.

Policy 1 – Network Rail supports the proposal for an alternative access to reduce the flow over the existing level crossing at New Road.

We would appreciate an opportunity to comment on any future planning policy documents as we may have more specific comments to make (further to those above). We look forward to continuing to work with you to maintain consistency between local and rail network planning strategy and to permit the successful delivery of the Garden Town outcomes.

We trust these comments will be considered in your preparation of the forthcoming Plan documents.
Dear Mr Thomas,

Thank you for consulting us on the Purton Neighbourhood Plan on the 23rd of June 2017. This email forms the basis of our response.

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements. **With this in mind I would strongly urge that when the council undertakes its viability testing for any proposed allocated sites it considers the impact the proposal may have on the railway infrastructure.** The cost of mitigating any impact may have a bearing on the viability and deliverability of any such proposed site.

Network Rail is a statutory undertaker responsible for maintaining and operating the country’s railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail’s infrastructure.

**Level Crossings – there are several level crossings within the plan area!**

Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals:

- By a proposal being directly next to a level crossing
- By the cumulative effect of development added over time
- By the type of crossing involved
- By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing
- By developments that might impede pedestrians ability to hear approaching trains
- By proposals that may interfere with pedestrian and vehicle users’ ability to see level crossing warning signs
- By any developments for schools, colleges or nurseries where minors in numbers may be using a level crossing.

The Council have a statutory responsibility under planning legislation to consult the statutory rail undertaking where a proposal for development is likely to result in a material increase in the rail volume or a material change in the character of traffic using a level crossing over a railway:-

- *(Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010) to requires that ... where a proposed development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over the railway (public footpath, public or private road) the Planning Authority’s Highway Engineer must submit details to both Her Majesty’s Railway Inspectorate and Network Rail for separate approval”.*

**Policy 1 – Network Rail supports the proposal for an alternative access to reduce the flow over the existing level crossing at New Road.**

We would appreciate an opportunity to comment on any future planning policy documents as we may have more specific comments to make (further to those above). We look forward to continuing to work with you to maintain consistency between local and rail network planning strategy and to permit the successful delivery of the Garden Town outcomes.
We trust these comments will be considered in your preparation of the forthcoming Plan documents.

Yours sincerely,

Lisa Bullock MRTPI
Town Planner (Western and Wales) | Property Network Rail
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<td>I would like to put forward my support for the Purton Neighbourhood Plan.</td>
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I fully support the Purton neighbourhood plan.
This is to confirm that I fully support the Purton neighbourhood plan.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 53
Response Date 20/03/18 21:05
Status Processed
Submission Type Email
Version 0.2

Comment

Please accept this email as confirmation that Darren Kirwan of [address redacted] supports the Purton neighbourhood plan.
**Comments**

**Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)**

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<td>I am writing to confirm that I support the Neighbourhood Plan for Purton. In particular the needs to: A). Address the considerable transport issues that Purton faces B). Ensure that any future housing development meets the needs of the local residents, is in keeping with the character of the village and is sustainable C). Ensure that Purton retains its unique identity and is not subsumed into the expanding Swindon</td>
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## Comments

### Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

| Comment ID | 55 |
| Response Date | 20/03/18 20:45 |
| Status | Processed |
| Submission Type | Email |
| Version | 0.2 |

Comment

I support the Purton Neighbourhood Plan.
As a resident of Purton, I’m contacting you to confirm my support for the Purton Neighbourhood Plan.
As a resident of Purton, I’m contacting you to confirm my support for the Purton Neighbourhood Plan.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

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<td>I fully support the adoption of the Purton Neighbourhood Plan</td>
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I wholeheartedly support the Purton Neighbourhood Plan and request that this be considered in the future Planning Meeting.
I am writing to say that I am all in favour of the Purton Neighbourhood Plan. There has been plenty of consultation on it in the village and it appears to take into account the present residents’ needs but also addresses future requirements in a realistic way.
I support the plan.
## Comments

**Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)**

| Comment ID | 62 |
| Response Date | 21/03/18 09:57 |
| Status | Processed |
| Submission Type | Email |
| Version | 0.3 |

**Comment**

I support the Neighbourhood Plan
### Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

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I would like to add my support for the Purton Neighbourhood Plan as currently drawn up and presented.
Comments

Purton Neighbourhood Plan Reg 16 Consultation (05/02/18 to 20/03/18)

Comment ID 65
Response Date 21/03/18 20:44
Status Processed
Submission Type Email
Version 0.2
Comment

I live in Purton and I support the plan.
As a resident of Purton I support the Purton neighbourhood plan.
I have read the above plan and recommend that it should be adopted.
i. As most of the available space within the Purton village settlement boundary is already taken up, surely it does not follow and is questionably unnecessary that land outside the boundary is 'invaded'?

ii. Of the SHLAA sites there are what appears to be suitable alternatives to the Parish Plan preferred sites 470 & 440 (Proposed). For example, sites 1120, 88 & 443 (Alternatives) are more within the village and represent potential of 114 houses which more than meets the 103 sought.

iii. The criteria used in the analysis that concludes with the preferred location for development, is based on a somewhat point in time viewpoint of shops & services. We are in danger of making a ‘top heavy’ village with no centre as such.

The proposed and preferred location is furthering the polarisation of one village & unlike the alternatives in ii, will encourage the expansion of the village to the south.

In summary, while it is understood that the Parish Council is obligated to produce a plan, the current preference has flaws as detailed above.