

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	1
Response Date	12/06/18 14:41
Status	Processed
Submission Type	Web
Version	0.1
To which part of the West Lavington Neighbourhood Plan does your comment relate?	The Document

Comment:

I don't doubt that many volunteers gave considerable time to create this edifice, it remains unreadable, I put the first 3 objectives through the gunning-fogg index and it scored 15.5 which is university level and whilst not wishing to do down my fellow parishioners having to read something of this complexity would be a turn off and many won't bother. If local authorities and government wrote and spoke in clear English folks might engage with them.

That fundamental failing aside the document sets out the likely direction of travel for development and we are putting all of our eggs in one basket at the centre of the community and a new road junction on Lavington Lane will further congest the crossroads at peak times. I had hoped that the proposed selection of potential sites and there were others mooted previously would have dispersed traffic further. Can I suggest that 2 or 3 sites across the length of Littleton Panell and West Lavington would be a far better way to disperse traffic and make community life easier. The addition of over 100 cars and I would guess 400 to 500 new car journeys per day to our roads from a single point will make life challenging and it won't please the residents on Lavington Lane will be relegated to a stationary car park. No thought has been given to making traffic flow more freely on Lavington Lane and the crossroads which becomes a free for all at peak times. Can consideration be given to allocated parking for folks with houses on Lavington Lane thereby making to road less congested?

The document also talks about the pedestrian walkways, from the top of Station Hill down to the Chocolate Poodle (as as) I see regularly school children walking in the road. Can we please have a solution to this that is safe. The solution is not to use public footpaths but rather to have a pavement down the hill making folks life more complete, safer and connected.

As it is presently written I would vote in a referendum for the plan not to be adopted.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	2
Response Date	05/07/18 16:13
Status	Processed
Submission Type	Web
Version	0.3

To which part of the West Lavington Neighbourhood Plan does your comment relate?	Site allocation
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Comment:

Market Lavington Parish Council acknowledges the extensive amount of work undertaken by the West Lavington Steering Group and supports the proposed development site put forward in the Neighbourhood Plan. Could we please however request that consideration be given to safety aspects of the nearby stream, when finalising the position of the access road to the site.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal?	Yes
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Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	3
Response Date	12/06/18 13:09
Status	Processed
Submission Type	Email
Version	0.4

Comment:

I can confirm Natural England has no comments to make with respect to this consultation.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	4
Response Date	29/06/18 11:10
Status	Processed
Submission Type	Email
Version	0.4

Comment:

National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

The electricity distribution operator in Wiltshire Council is SSE Power Distribution. Information regarding the transmission and distribution network can be found at:

www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	5
Response Date	14/07/18 08:46
Status	Processed
Submission Type	Web
Version	0.4
To which part of the West Lavington Neighbourhood Plan does your comment relate?	Roads and access to new build

Comment:

Anyone who lives in the village and sees the local traffic situation in and around sandfields and the Primary School, together with the use of the Village Hall and parking, would find the concept of using this route to the proposed new housing estate dangerous and unbelievable. I cannot see any problem arising out of access from the road between Market and West Lavingtons, at this time traffic travels far too quickly along this route, and the idea of reducing the speed limit and indeed creating a mini roundabout will only improve a relatively dangerous route.

To suggest that reducing the speed limit is not viable, when we already have a 20 mph limit introduced on Market Lavington, does not make sense. The slower the better on such a country road.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	6
Response Date	14/07/18 12:50
Status	Processed
Submission Type	Web
Version	0.4
To which part of the West Lavington Neighbourhood Plan does your comment relate?	general statements

Comment:

I totally support the plan and the way it has been developed and promoted, save the comment I have already made re the possibility of road access through Sandfields.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? No

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	7
Response Date	16/07/18 22:55
Status	Processed
Submission Type	Web
Version	0.4
To which part of the West Lavington Neighbourhood Plan does your comment relate?	All

Comment:

A huge amount of work has obviously gone into this proposed Plan, and the publicity about it given out to the community has been helpful and informative with opportunities to comment and discuss. The site selection process looks fair and note taken of local opinions. We need to sustain our community and allow our youngsters when reaching adulthood to remain, if they can and wish, and allow the down-sizing older generation the choice of remaining in the village area they are familiar with.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	8
Response Date	20/07/18 21:34
Status	Processed
Submission Type	Web
Version	0.4
To which part of the West Lavington Neighbourhood Plan does your comment relate?	All

Comment:

The Plan has been a immense undertaking for the parish, and has taken commitment and a large input from volunteers over several years.

Communication with residents (chatting informally in passing or at more formal meetings at the village hall) has enabled the plan to be drafted and then consulted upon by the community. A good representation of the villages "had their say" and the majority agreed with the finalised site.

No site was perfect, but it looks like the site off Lavington Lane could be achieved with the good ongoing liaison with the developer. A new access would alleviate speed concerns, and also congestion around Sandfield estate and the primary school where the roads are so narrow.

I have spoken with several young adults over the years and recently (who have grown up in the parish) but are unable to purchase or rent a home of their own; likewise the population is getting older and there will be a need for smaller properties for downsizing, thus freeing up 3-4 bedroom family homes.

Although we live on the edge of a very large area of countryside (Salisbury Plain), the small green areas within the community are important, both socially (playing fields and playgrounds) and aesthetically (the small pockets dotted about the parish).

Whilst checking WC website just now prior to submitting this comment, I see that there has been an update saying there has been "an error" made by WC and there is now another six weeks of consultation! surely it is unacceptable that the local community plan process is delayed til the end of August due to a very basic mistake by the county council employees.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	9
Response Date	23/07/18 13:32
Status	Processed
Submission Type	Email
Version	0.4

Comment:

Thank you for your Regulation 16 consultation on the West Lavington Neighbourhood Plan.

Our interest in this Plan has focused on Policy H1 which proposes the allocation of land for housing development. Our response to the Regulation 14 consultation highlighted a range of issues associated with this policy and its evidence base which we encouraged the community to address (see below this paragraph). This reiterated comments made to your authority in association with the SEA Screening Opinion.

"Regulation 14 response:

Thank you for your Regulation 14 consultation on the West Lavington Neighbourhood Plan.

This response is prefaced by two apologies: firstly, for not responding before now; and secondly, for not using the formal response form which we found did not lend itself to electronic use. But we hope that our comments can be accommodated within your Plan preparation process nonetheless.

This is a most impressive Plan in its scope and depth of coverage of local issues. We are particularly impressed by the extent to which the area's distinctive historic character is understood and represented, and how this has been used to inform proposals for its protection and enhancement as well as complementary policies.

Our interest focusses on policy H1 which proposes the allocation of land for housing development at Land South of Lavington Lane. We have commented previously on the need for evidence to demonstrate that, although the principle of allocation does not appear to generate concerns, the quantum of development referred to can be accommodated without causing harm to (the setting of) designated heritage assets (see email correspondence attached).

The Plan itself doesn't provide much evidence on the rationale for the selection of the site and the number of housing units proposed but it is supported by documents which set the case out in detail. Namely, the Housing Allocation Site Selection Methodology dated August 2017 (document 1), and the Draft Plan Supplementary Document – Housing Allocation Site Development Brief dated November 2017 (document 2). Our observations on these documents can be summarised as follows:

- 1 Document 1 sets out in Stage 3 the exclusion criteria which should apply to site selection. This includes criterion B – sites within the conservation area. However, there is no reference to consideration of potential for impact on other forms of designated heritage asset. Stage 5 elaborates on suitability criteria but again there is no reference to consideration of other heritage asset types.*

- 2 *Appendix 1 of the document provides a table assessing the sites against heritage sustainability criteria and although site 7 scores highly in its favour against consideration of impact on a full range of heritage assets there is no indication of the methodology which has been used to inform the outcomes.*
- 3 *Appendix 7 shows a map of the location of relevant heritage assets relative to the site, and states that the closest area of archaeological interest is some 820m away. There is no analysis of the interrelationship between the assets identified and the site.*
- 4 *Document 2 provides an impressively detailed presentation of the issues which any development should take account of. Para 31 refers to the setting of the conservation area and the potential for development to generate an adverse effect. Reference is made to the need for careful consideration and a Heritage Impact Assessment to identify the significance of the site, potential harm, and to inform proposals. This need having been stated might imply that insufficient understanding of the heritage significance of the site exists to substantiate, if not the allocation, the quantum of development proposed.*
- 5 *Para 32 refers to the site having medium archaeological potential and that archaeology has been found 150m away. It is not clear how this can be reconciled with point 3. above.*
- 6 *Para 33 refers to the site's "relatively close proximity" to listed buildings. The distance is reckoned to be approximately 215m and landscape and other intervening features suggest that the setting of these buildings is unlikely to be directly affected. Reference to a Heritage Impact Assessment is made so that the need for further mitigation measures can be identified. It is important to be sure that these are not so material in nature as to have a fundamental effect on the content and delivery of the policy.*

In summary, we would ask your community to reaffirm that it has addressed the following issues. This will then ensure that the evidence base is demonstrably adequate when the Plan is submitted for Examination.

- 1 *Is the role of the site in defining the setting of the conservation area sufficiently understood to ensure that the provisions for its protection within document 2 are adequate?*
- 2 *Is it necessary to better understand the setting relationship with nearby listed buildings to inform and suggest additional specific mitigation measures in document 2?*
- 3 *Does the archaeological potential within the site suggest that improved understanding/further investigation of its significance is necessary to inform document 2? Reassurance from the County Archaeologist would address this point if not already secured."*

In short, we recommended that the heritage evidence base for the allocation be tightened up to provide greater clarity and consistency and address specific questions to help in that respect.

We note from the subsequent Consultation Statement November 2017 that the community states that *"some changes have been made to the content in response to explain in more detail how heritage assets have been taken into account. The Parish Council consider that the site allocation methodology has taken due cognisance of heritage assets in the assessment of potential sites. The Heritage Assessment of the site allocation has confirmed that the historic environment would not be harmed"*.

It is not clear exactly what aspects of "the content" have been changed but we note that the Heritage Assessment referred to is dated February 2018 and therefore constitutes new evidence. This is a very helpful report which, when considered with the Site Selection Methodology (and Appendix 7 in particular), provides useful reassurance as to the impact, or likely lack of same, which relevant designated heritage assets may be expected to experience as a consequence of development on the site.

I can therefore confirm that there are no outstanding heritage issues associated with the Plan which we would wish to raise. At the same time we would encourage your authority to satisfy itself on such matters by seeking reassurance, if not already secured, from its own in-house archaeology and conservation officers.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	10
Response Date	27/07/18 16:26
Status	Processed
Submission Type	Email
Version	0.4

Comment:

West Lavington Neighbourhood Plan

Thank you for consulting the Environment Agency on the above Plan.

We note that one site is included for further residential development within the village and are pleased to see that it is not affected by flood zones 2 and 3. However, a small part of the site shows as vulnerable to surface water flooding. Therefore please ensure you seek the views of the Lead Local Flood Authority (Wiltshire Council drainage team) on this issue.

We would encourage the incorporation of Natural Flood Management within the plan. This concept is explained further at the following links and will feed into achieving the aims of the Government's 25 Year Environment Plan.

<https://www.gov.uk/government/news/natural-flood-management-part-of-the-nations-flood-resilience>

<https://nerc.ukri.org/research/funded/programmes/nfm/>

<https://www.gov.uk/government/publications/working-with-natural-processes-to-reduce-flood-risk>

25 Year Environment Plan - <https://www.gov.uk/government/publications/25-year-environment-plan>

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	11
Response Date	18/08/18 14:26
Status	Processed
Submission Type	Web
Version	0.1
To which part of the West Lavington Neighbourhood Plan does your comment relate?	All

Comment:

This Plan has been carefully researched, the local population has been consulted, both in writing and by public meetings, and the outcome has been approved by an overwhelming majority. The proposed site has easy links on foot to the shop/post office, the local schools, the surgery, the recreation ground and the public house. If the current owner of the site does develop it, the directors of that local Company have a vested interest in ensuring that it reflects well on them and their firm.

Whatever needs to be addressed by way of ameliorating the traffic flow along the adjacent Lavington Lane will surely be dealt with as the Plan moves forward. A painted mini-roundabout at the junction with the A360 would certainly give priority to the flow of traffic at peak times.

A sensible mix of affordable and social housing would bring much needed young families to the village, or enable young couples to remain here rather than having to move away to allow them to gain a foothold on the property ladder.

There seems to be little merit in directing traffic to this proposed site via Sandfield. Emergency vehicles already find access to both The Spinney and Eastfield problematic due to residents' parked cars.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	12
Response Date	27/08/18 13:10
Status	Processed
Submission Type	Web
Version	0.1
To which part of the West Lavington Neighbourhood Plan does your comment relate?	All

Comment:

I support the proposal for up to 50 houses on site H1(A) and that vehicular access to this site should be from Lavington Lane (B3098). Access via Sandfield and the A360 would be undesirable owing to existing congestion on those roads at peak times.

Access via Lavington Lane will allow travel to Devizes, the nearest town, via Grove Road, Spin Hill, Broadway and Black Dog Cross Roads (all in the parish of Market Lavington), avoiding the pressure on West Lavington Cross Roads. Black Dog requires improvement in any event!

Parents and others requiring access to Dauntsey's Academy Primary School (DAPS) from the north or east will no longer have to cope with the WL Cross Roads and the A360. The traffic and parking pressure on Sandfield will thus also be reduced.

The new housing site will also facilitate improvements for pedestrians and cyclists from Market Lavington to DAPS, and other facilities in the area such as the Bike Track, the playgrounds, the WL Village Hall, the Baptist Church, Courtyard Surgery and The Churchill Arms. Access from West Lavington to Market Lavington will be improved, including to Lavington School, the Community Hall, St Mary's Church and the shops.

All other parts of the draft Plan also have my support and represent the product of many years work and close consultation with the community.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	13
Response Date	28/08/18 14:30
Status	Processed
Submission Type	Web
Version	0.1
To which part of the West Lavington Neighbourhood Plan does your comment relate?	All

Comment:

It is clear that a great deal of thought and effort over a number of years has been given to producing such a detailed and thorough plan.

The local community has been thoroughly involved and consulted along the way and have given clear support for the one site identified in the plan.

It is understood that there are views at Wiltshire Council considering that access to the proposed site could be via the Sandfield estate as against Lavington Lane. Such a decision on various grounds and especially public safety would cause substantial local concern if not actual anger in particular from residents on the estate and parents of children attending DAPS school.

It is worrying that this latest consultation had to be almost doubled in duration from 6 weeks to 11 weeks because Wiltshire Council published the wrong plan on its web-site and people could be forgiven if their faith in the process has at least been dented!

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	14
Response Date	28/08/18 20:06
Status	Processed
Submission Type	Web
Version	0.1
To which part of the West Lavington Neighbourhood Plan does your comment relate?	All

Comment:

I support all sections of the Plan.

With regard to **Housing**, I support the H1(A) site for development proposal for the following reasons.

The proposal arose out of consultation with the community in 2015 following serious analysis by the Steering Group over a lengthy period. A detailed study of 14 sites and a more detailed further study of 8 sites resulted in a short list of 4 site options put to the public to determine their preferred choice(s).

The short list provided sites of various sizes dotted throughout the two villages. 317 responses to the consultation were received (30% of the 1050 questionnaire forms circulated). A majority of the responses, 68%, demonstrated clearly the community's overwhelmingly choice of site H1(A) as their sole preference for development.

Of all the shortlisted sites, site H1(A) is closest within walking distance and footpath access to the shop, post office, three schools, the village hall, playing fields and play area and within walking distance of the doctor's surgery and pub. It is also within easiest reach to the facilities of the services centre of Market Lavington.

It is proposed that development of site H1(A) should provide extra parking for the primary school and the pre-school and a drop-off area. This would significantly alleviate the current congestion and parking problems at the village hall carpark and along Sandfield and Newby Close which give recurring rise to discord between the village hall, householders and parents. In addition, children and/or parents walking to and from school along Lavington Lane from nearby Market Lavington will benefit from provision of a new safe pedestrian crossing on Lavington Lane, as will Dauntsey's School pupils crossing to and from the school's playing fields and boarding house. Development of site H1(A) may also have the possibility to provide an opportunity to reduce the speed limit on Lavington Lane where safety is a concern voiced by all the schools, parents and others.

Access to the site is an issue. Sandfield currently serves approximately 135 houses, the Primary School, the Pre-school, the Village Hall and the playing field. It is accessed from a single point and is not compliant with Highways' carriageway width requirements. The Plan does not, therefore, and particularly in view of significant community opposition, include it as an access option to the site. It proposes a new access off Lavington Lane which can ensure that cars travelling to the parish's schools from the Market Lavington direction will not need (as currently) to use the A360/B3098 crossroad junction and the Sandfield route via the A360/Millennium Cross junction (still available, however, to

cars moving from the West Lavington direction). Furthermore, cars travelling between the site and Devizes, will have the option to avoid the A360/B3098 junction by using Grove Road, Spin Hill and The Broadway thereby reducing the crossroads build-up of traffic, particularly at certain times of the day.

50 houses are an appropriate number for site H1(A) to provide a mix of housing sizes to benefit the community. The 2011 census showed that, in the previous ten years, 50 households and 45 new dwellings had been created in the parish. In an early NP consultation, 46% of those responding considered that affordable housing is needed. The Housing Needs Survey in 2017 received a 36.1% response with 194 replies of which 88.4% were in support of new housing. It was concluded by the survey that, in order to meet the affordable housing need identified at the time, an overall housing allocation of a minimum of 30 units would be required. This can be fully accommodated within the proposed H1(A) site housing numbers.

With regard to the **Natural Environment**, I consider the Local Green Space section (and Appendix 1) and the separate proposals with regard to areas considered "important to overall setting and of important green infrastructure" of particular importance for the following reasons.

Littleton Panell and West Lavington villages do not benefit from a nucleus, such as a village green, but are essentially linear in form, stretching over a mile along the very busy and narrow A360. There is little greenery to relieve the dull uniformity of the road. It is of particular importance, therefore, that the Plan is able to seek to take advantage of the "Local Green Space" designation legislation. The three small green spaces dotted along the A360 break up the straight line of road while providing limited tranquillity and green space for walkers from the relentless heavy traffic passing through. Other spaces for which designation is sought can provide communal grassed areas for informal play or the village fete. Some hold historical interest. They are all important to the immediate wellbeing of day-to-day village life and should be protected from development.

The countryside and splendid views beyond the settlement are also of significant importance to the setting of the villages and the welfare and health and happiness of the community. Although they may not fit the requirements of a Local Green Space, these locations enhance the landscape and provide habitats for wildlife. They are areas that should not generally be developed as to do so would adversely affect the streetscene, landscape, river corridors or woodland.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	15
Response Date	09/08/18 13:39
Status	Processed
Submission Type	Email
Version	0.2
To which part of the West Lavington Neighbourhood Plan does your comment relate?	Policy BE1 Settlement Boundaries

Comment:

Policy BE1 establishes that development outside of the settlement boundary will only be permitted for those developments requiring a countryside location of which agriculture, horticulture and forestry are specifically identified. We request that water and sewerage infrastructure are added to this list. Wessex Water has an existing reservoir at Strawberry Hill. It is likely that within the plan period we will need to undertake maintenance and improvements works to this and other existing assets. Such works are essential to deliver a reliable service and meet environmental requirements. As a statutory undertaker, some works are permitted development but certain works will require us to seek express planning consent from the Local Planning Authority. In addition to works on existing assets, new infrastructure is likely to be required during the plan period.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	16
Response Date	09/08/18 13:39
Status	Processed
Submission Type	Email
Version	0.2
To which part of the West Lavington Neighbourhood Plan does your comment relate?	Policy BE2 Design of New Development and Local Distinctiveness and Policy BE4 Heritage Assets

Comment:

Policy BE2 and Policy BE4 should recognise that infrastructure development and maintenance by utility companies by its nature needs to be functional and considerations such as security and health and safety must take precedence over appearance. While we seek to ensure design is sensitive to its location as possible, there are often constraints on location (due to existing below ground infrastructure), materials (for example requirements to meet national security standards) and size/form (driven by operational requirements). Lighting may also be required to allow safe operation and maintenance of plant. We are concerned that the policies may be overly restrictive when we are seeking consent to construct new infrastructure or undertake maintenance/improvement works to our existing infrastructure during the plan period.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	17
Response Date	09/08/18 13:39
Status	Processed
Submission Type	Email
Version	0.2
To which part of the West Lavington Neighbourhood Plan does your comment relate?	Policy H1 New Housing

Comment:

Wessex Water have previously reviewed the capacity of the site south of Lavington Lane to accommodate 50 – 75 dwellings. This was undertaken in 2016 response to a developer enquiry. At that point we identified:

- 1 Existing foul and surface water sewers are located within the site boundary. Statutory easements apply and site layouts should be informed by these to protect existing underground infrastructure.
- 2 Limited capacity is available in the downstream public sewer system and capacity improvements may be considered by the sewerage undertaker.
- 3 Point of connection to local foul sewers can be agreed at detailed design subject to site layout.
- 4 Surface water local connections are available for site drainage subject to restricted discharge rates and flood risk measures required by the Lead Local Flood Authority.

Wessex Water have identified a number of infiltration consultation areas in Wiltshire. We request to be consulted on development proposals for new dwellings within these area. Within these areas there is a higher risk of sewer flooding as a result of groundwater infiltration. There is a zone to the south of the West Lavington however this falls outside of the settlement boundary.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	18
Response Date	21/08/18 08:52
Status	Processed
Submission Type	Email
Version	0.2

Comment:

Thank you for providing Highways England with the opportunity to comment on the revised submission of the West Lavington Neighbourhood Development Plan. Highways England is responsible for operating, maintaining and improving the strategic road network (SRN) which in this case consists of the A303 to the south of the plan area.

As the plan area is some distance from our network, we are therefore satisfied that the proposed plan policies are unlikely to result in development which will impact significantly on the SRN and we have no comments to make. However, this response does not prejudice any future responses Highways England may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the appropriate policy at the time.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	19
Response Date	21/08/18 11:42
Status	Processed
Submission Type	Email
Version	0.2

Comment:

This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission version of the West Lavington Neighbourhood Plan (WLNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. Gladman requests to be added to the Council's consultation database and to be kept informed on the progress of the emerging neighbourhood plan. 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 WLNP 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.*
- (d) The making of the order contributes to the achievement of sustainable development.*
- (e) 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).*
- (f) 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 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 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.

On the 24th July 2018, the government published a revised National Planning Policy Framework. The revised Framework states at paragraph 213 that 'the policies of the previous Framework will apply for the purposes of examining plans, where those plans are submitted on or before 24 January 2019.' As such the Parish Council will need to ensure that the policies contained within the WLNP are consistent with the appropriate version of the NPPF. Further, the Parish Council will need to be aware that the revised NPPF is considered a material consideration which will need to be taken into account in dealing with any planning applications.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the previous 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 of the previous Framework 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 previous 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 WLNP's ability to meet basic condition (a) and (d) and this will be discussed in greater detail throughout this response.

Relationship to Local Plan

The development plan that covers the West Lavinton Neighbourhood Plan area and the development plan which the WLNP will be tested against is the Wiltshire Core Strategy, adopted in January 2015. This plan provides the overarching planning policy framework for Wiltshire for the period from 2006 up to 2026.

The Council has been preparing the Housing Site Allocations Plan to support the delivery of new housing set out in the Wiltshire Core Strategy, having consulted on a pre-submission draft of this document between July and September 2017. Further to this, Wiltshire Council recently consulted on the initial stages of a review of the Core Strategy which will be recast as the Wiltshire Local Plan, extending the current plan period to 2036. To ensure the longevity of the WLNP there should be sufficient flexibility drafted into the policies, so that its contents are not superseded by the provisions of S38(5) of the Planning and Compulsory Purchase Act 2004 upon adoption of the new Local Plan.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	20
Response Date	21/08/18 11:42
Status	Processed
Submission Type	Email
Version	0.2
To which part of the West Lavington Neighbourhood Plan does your comment relate?	Policy BE1 – Settlement Boundary

Comment:

Policy BE1 states that within the defined settlement boundary, planning permission will be granted for small-scale development on sites not allocated for development. Development outside the settlement boundary will be strictly controlled and the policy states that planning will only be granted subject to meeting listed criteria.

Firstly, Gladman would like to remind the Council that it is not within the remit of a Parish Council to determine planning applications and as such the policy should not make reference to granting or refusing planning permission. We suggest that where the policy states that planning permission will be 'granted' the wording is amended to read 'supported'.

Gladman do not consider the use of settlement boundaries to be an effective response to future development proposals if they would act to preclude the delivery of otherwise sustainable development opportunities, as indicated in the policy. The Framework is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a).

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	21
Response Date	21/08/18 11:42
Status	Processed
Submission Type	Email
Version	0.2
To which part of the West Lavington Neighbourhood Plan does your comment relate?	Policy BE2 – Design of New Development and Local Distinctiveness

Comment:

Policy BE2 states that all new development *'shall demonstrate good quality design that reinforces local distinctives and complements the fabric of the existing built up area, uses good quality harmonious materials and respects views around the village'*.

Whilst Gladman recognise the importance of high quality design, planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to sites specifics and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.

Gladman therefore suggest that more flexibility is provided in the policy wording to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments. We suggest that regard should be had to paragraph 60 of the previous NPPF which states that: *"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles"*.

Further, it is not clear what is meant by 'harmonious' materials nor how this phrase should be interpreted by a decision maker. Policy wording should be clear and concise to allow a decision maker to apply a policy predictably and effectively. Gladman suggest this word is removed from the policy.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	22
Response Date	21/08/18 11:42
Status	Processed
Submission Type	Email
Version	0.2
To which part of the West Lavington Neighbourhood Plan does your comment relate?	Policy BE3 - Highway Impact

Comment:

Policy BE3 states that *'where new development negatively impacts on the highway network, developers will be required to mitigate these impacts by highway improvements or contributions'*.

Gladman reiterate the concerns previously raised in respect of this policy seeking for contributions to offset any negative impacts from new development on the highway network. Contributions should only be sought where the impact of the development would otherwise be unacceptable.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	23
Response Date	21/08/18 11:42
Status	Processed
Submission Type	Email
Version	0.2
To which part of the West Lavington Neighbourhood Plan does your comment relate?	Policy BE4 – Heritage Assets

Comment:

Policy BE4 states that development proposals affecting heritage assets or their settings will be required to utilise appropriate mitigation to reduce any preserved impact.

Paragraph 132 of the previous Framework makes it clear that great weight should be given to a heritage asset's conservation and that 'the more important the asset, the greater the weight should be'.

With reference to designated heritage assets, the Parish Council should refer specifically to paragraphs 133 and 134 of the previous Framework which sets out that Councils should assess the significance of the designated heritage asset and where there is less than substantial harm, this should be weighed in the planning balance against the public benefits of the proposal. Where there is deemed to be substantial harm, then the proposal would need to achieve substantial public benefits to outweigh that harm.

For non-designated heritage assets, the policy must reflect the guidance set out within paragraph 135 of the previous Framework. This states that the policy test that should be applied in these cases is that a balanced judgement should be reached having regard to the scale of any harm and the significance of the heritage asset.

Gladman believe that this policy needs to be redrafted in order to ensure that it conforms with the guidance and requirements set through national policy.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	24
Response Date	21/08/18 11:42
Status	Processed
Submission Type	Email
Version	0.2

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 WLNP 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 (d). The plan does not conform with national policy and guidance and in its current form does not contribute to the achievement of sustainable development.

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.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	25
Response Date	29/08/18 15:42
Status	Processed
Submission Type	Web
Version	0.1
To which part of the West Lavington Neighbourhood Plan does your comment relate?	The Studio, Russell Mill Lane, SN10 4ET

Comment:

The Studio, Russell Mill Lane, SN10 4ET

The premises above has been omitted from the draft Settlement Boundary; it fails to include the existing commercial building and its associated car parking area and access point which is entirely within the existing settlement. It forms part of the built up area and has done so for the last 20 years, therefore it should be included within the Settlement Boundary.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	26
Response Date	29/08/18 18:52
Status	Processed
Submission Type	Web
Version	0.1
To which part of the West Lavington Neighbourhood Plan does your comment relate?	West Lavington Neighbourhood Plan Regulation 16 Consultation

Comment:

I moved to the Sandfield area 12 months ago, reasons for moving here is that it is quiet and has nice walks. The reasons I object to the planning of 50 dwellings, is that I overlook the field in question and it is a nice view. This view would be spoilt by building the housing estate and it seems any land is being used for housing estates. This carries on and there will be no scenery left in the countryside. The field is used by children going to and from school, walkers and dog. Furthermore, I work shifts and there will be a lot of noise from the construction site and how long would us residents have to put with that level of noise.

I understand the frustration of the traffic for DAPS, however this is for about 10-15mins in the morning and afternoon. This I would prefer to tolerate than having an housing estate as my views. Every time an housing estate is build, it is always said that they are "affordable houses" and to assist people getting on the property ladder. For what I see, the house prices are never affordable.

Do you wish to be notified of the decision on the West Lavington Neighbourhood Plan proposal? Yes

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	27
Response Date	29/08/18 14:08
Status	Processed
Submission Type	Email
Version	0.3

Comment:

The Parish Council has been made aware of an inadvertent omission on the list of Listed Buildings on page 36 of its draft Neighbourhood Plan, which is the subject of the Consultation and which it would wish to be corrected by inclusion. The building is The Old Manor, 9 All Saints Road, West Lavington, SN10 4LT, which is Grade II listed.

Comments

West Lavington Neighbourhood Plan Regulation 16 Consultation (11/06/18 to 30/08/18)

Comment ID	28
Response Date	30/08/18 14:29
Status	Processed
Submission Type	Web
Version	0.8
Files	West Lavington Reg16 Response FINAL 30082018.pdf (3)

Comment:

Wiltshire Council Response to ‘West Lavington Neighbourhood Development Plan 2017 – 2026 – Submission Plan April 2018’ (Regulation 16 Consultation)

Please find attached Wiltshire Council's comments.

West Lavington Neighbourhood Development Plan Consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

Comments from Wiltshire Council

30 August 2018

Introduction

Wiltshire Council welcome the opportunity to comment on the West Lavington Neighbourhood Development Plan ('WLNDP'). We appreciate the considerable amount of time and effort on the part of the Parish Council and the Neighbourhood Plan Steering Group in engaging the community and producing the neighbourhood plan.

Wiltshire Council has been advising West Lavington Parish Council and the Neighbourhood Plan Steering group about the neighbourhood planning process and matters of conformity with the basic conditions. Advice and comments have been offered as ongoing dialogue throughout the process as well as through the Regulation 14 consultation that concluded in January 2018.

Our comments on the Regulation 14 draft plan were intended to provide constructive support and it is noted that changes have been made in response to most points raised. Now, at the Regulation 16 stage, the comments are focussed on whether the neighbourhood plan aligns with strategic policies of the development plan or other issues of compliance with the Basic Conditions and can be effectively interpreted by the Council in determining planning applications. In some cases, advice that was provided in the Council's response to the 'Regulation 14' consultation is still relevant and this is reiterated below.

Submission of the draft neighbourhood plan.

West Lavington Neighbourhood Plan ('WLNDP') was submitted to the Council on 23rd April 2018, and was validated on 9th May 2018 once all documents were received. Wiltshire Council, as local planning authority, has considered the submitted plan and is satisfied that it complies with the relevant statutory requirements set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended). The submitted plan was accompanied by a Basic Conditions Statement and a Consultation Statement.

Habitats Regulations Assessment (HRA)

Wiltshire Council issued an HRA screening determination in November 2017 concluding that the WLNDP would have no likely significant effects upon the Natura 2000 network alone or in combination and no appropriate assessment is currently required. This conclusion remains unaltered.

Strategic Environmental Assessment (SEA)

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 determination between 6th October 2017 and 10th November 2017. All three bodies agreed with the screening determination of Wiltshire Council that the WLNDP is not likely to have significant environmental effects and therefore an SEA is not required. Historic England provided some comments and the parish council have responded by including more information on historic environment within the plan.

National Planning Policy Framework ('NPPF')

The NPPF was updated in July 2018. The WLNDP refers to the previous version of the NPPF. However, it is noted that the updated NPPF allows neighbourhood plans submitted prior to January 2019 to be examined based on the previous version.

Conformity with Wiltshire Core Strategy

The Wiltshire Core Strategy (WCS) was formally adopted by Wiltshire Council on 20 January 2015, and provides a positive and flexible overarching planning policy framework for Wiltshire for the period up to 2026¹. The WLNDP acknowledges that all the policies and allocations of the WCS are considered to be 'strategic' for the purposes of neighbourhood planning.

Taken as a whole, the policies of the WCS constitute what sustainable development means in Wiltshire. Wiltshire Council consider that there are some key areas where the WLNDP would not align with the policies of the Wiltshire Core Strategy. The details are set out in this document and include suggested amendments that would help to ensure conformity.

Policy BE1

There is a concern that Policy BE1 as currently written would not conform with the adopted strategic policies of the Wiltshire Core Strategy. The policy is restrictive to development outside the settlement boundary as per WCS Core Policy 2 and includes some exceptions, however these exceptions do not fully align with those included in the WCS. We would suggest that the third paragraph of the policy be modified to align with the WCS, as follows:

"The land outside of the settlement boundary is designated as the countryside. Development outside the settlement boundary ~~will be strictly controlled and~~ **will be carefully managed in accordance with WCS Core Policy 1 and 2 and the 'exception policies' as summarised in WCS paragraph 4.25. In addition,** planning permission will ~~only be granted~~ **be supported** for proposals:

- Which require a countryside location, such as agriculture, horticulture or forestry; or are related to community, leisure or recreation use; or
- Which are educational facilities within the areas safeguarded for educational facilities under Policy CF2 of this Neighbourhood Plan"

Revision of the Settlement Boundary (Policy BE1)

Until the WLNDP was submitted the review of the West Lavington and Littleton Panell settlement boundary was being carried out through the Wiltshire Housing Site Allocations Plan ('WHSAP') process. The WLNDP has now revised the settlement boundary in the Submission Version of the Plan. This is a further change since the Regulation 14 draft, and has been done with support of Wiltshire Council, as it was acknowledged that the

¹ Wiltshire Core Strategy available at <http://www.wiltshire.gov.uk/adopted-local-plan-jan16-low-res.pdf>

neighbourhood plan had progressed sufficiently and was the appropriate mechanism to review the settlement boundary.

The WLNDP now includes a revision of the settlement boundary that is based on the WHSAP 'pre-submission settlement boundary revision' with additional changes made following consideration of responses to both the WHSAP pre-submission consultation and the NDP Regulation 14 consultation.

In addition, Page 15 of the WLNDP includes a discussion of the Wiltshire Housing Site Allocations Plan. The explanation of the relationship between the WHSAP and WLNDP in relation to the revision of the settlement boundary would benefit from being updated, to clarify that the NDP has revised the settlement boundary.

Policy BE3 – Highway Impact

As stated in the Regulation 14 response, this policy is somewhat confusing as it does not reflect the planning application process and implies that a new development might be permitted that negatively impacts on the highway network. The policy reiterates adopted policy: WCS Core Policy 62 already provides for highway improvements and mitigation measures where needed. The policy also reiterates requirements of the Local Transport Plan ('LTP3') Car Parking Strategy, March 2015. However, we acknowledge that this is reflective of the community's concern about parking requirements.

The policy does provide additional, local detail in relation to Additional Visitor Parking: The LTP3 Car Parking Strategy allows for flexibility in that unallocated communal parking will be negotiated on a case-by-case basis with the aim of reflecting local circumstances and need. The Policy BE3 includes a clause to add further detail whereby additional unallocated visitor parking will not be required for developments of fewer than 5 dwellings. This removes the need for negotiation in relation to smaller developments and there is no objection to this approach.

In order to aid the implementation of Policy BE3, based on experience of the issues often generated in relation to waste collection and space for refuse vehicles, we would suggest an amendment to the wording of Policy BE3, as follows:

"Planning permission will only be granted for new development that incorporates adequate on-site provision for the storage **and collection** of refuse ~~collection~~ bins. Refuse collection storage should be screened and easily accessible to the collection point."

Housing

Wiltshire Council broadly supports the approach of the Qualifying Body ('QB') to delivering housing through the neighbourhood plan. The QB commissioned a Rural Housing Needs Survey to ascertain the local need. The QB has also acknowledged that the strategic housing requirement and the numbers quoted in the Wiltshire Core Strategy and updated Housing Supply Statement are not a limit to the community forming their own shared vision for sustainable growth and housing delivery (as set out in paragraph 4.33 of the WCS).

West Lavington Parish is located within the Devizes Community Area. Core Policy 1 Settlement Strategy identifies the settlements where sustainable development will take place. Core Policy 2 Delivery Strategy provides the indicative housing and employment figures and provides information on the appropriate scale of growth at each type of settlement. Core Policy 12 sets out the spatial strategy for the Devizes Community Area.

West Lavington / Littleton Panell village is identified as a Large Village. The remainder of the parish is within the countryside and a large proportion of this is within MOD Salisbury Plain. As set out in Core Policy 2 and 12 between 2006 and 2026 the indicative housing requirement for the Remainder of the Devizes Community Area is 490 houses. The remaining indicative requirement at April 2017² was 81 dwellings, which is the most up to date published land supply figure.

Supporting text in Paragraphs 4.15 and 4.17 provides further clarification and support for a neighbourhood plan to review the settlement boundary and identify new developable land to help meet the housing and employment needs of that community.

While it is acknowledged that the Core Strategy allows only limited development at Large Villages and that this will predominantly take the form of small housing³ and employment sites within the settlement boundary (paragraph 4.15), the Core Strategy does provide flexibility to communities wishing to consider development outside the settlement boundary through a neighbourhood plan (paragraph 4.17). In this case, the WLNDP is proposing a housing allocation of up to 50 dwellings adjacent to the settlement boundary of the village. The allocation is community-endorsed and the justification includes discussion of population growth trends and considers the challenges of providing housing for younger people. It reflects the need for affordable housing that was identified through a recent Rural Housing Need Survey. As such, the principle of the proposed housing development is considered to be in general conformity with the Wiltshire Core Strategy.

We have some remaining comments in relation to the specifications of the site allocation, however, as set out below.

Policy H1

Policy H1 allocates a site of approx. 3.2ha adjacent to the settlement boundary of West Lavington and Littleton Panell, for a housing development of up to 50 dwellings. Wiltshire Council do not object to the principle of development of housing at this site, however, based on the available information, we have significant concerns about the access onto Lavington Lane due to identified impacts which are discussed further below.

Access and site layout

Policy H1 and the Development Brief currently state that an access from Lavington Lane onto the proposed housing site is a requirement. This access is likely to have significant impacts on landscape, setting of the conservation area and biodiversity, as raised through informal dialogue throughout the neighbourhood plan process and expressed in the Regulation 14 response. A summary of the relevant comments can be seen in Appendix 1.

Paragraph 7.23 of the NDP claims that the '*various technical documents produced to support the allocation make it clear that the potential impacts are acceptable in planning terms*' and that '*the community benefits are considered to outweigh the limited residual potential impacts*'. However, as per our previous comments, Wiltshire Council consider that the potential impacts are significant and would not be mitigated by the current proposals. The submitted documents contain new information which confirms, rather than addresses,

² Housing Land Supply Statement March 2018 (base date April 2017)

³ A small housing development is defined as fewer than 10 dwellings

the Council's concerns that were set out in the Regulation 14 response. The reasons are reiterated below.

- The proposed access would involve widening of a rural lane to introduce a right-turn lane with a central refuge island, in order to provide a safe pedestrian crossing and comply with highway standards. Due to the topography of the site and a steep bank along the northern boundary with Lavington Lane, the slope would need to be cut back along the entire length of the site, and mature trees removed, in order to achieve the required visibility splay onto the 40mph road. It is also likely that there would need to be substantial cutting into the site to achieve the required gradient of roads within the development. This level of engineering will have a very significant visual impact on the character of the lane which is not only of significance to the landscape character and setting but also the setting of the conservation area which is characterised by the rural nature of the lane. There are also likely effects on ecology, specifically bats being disturbed by light as outlined in Wiltshire Council's Regulation 14 response (please see Appendix 1).

Additional information submitted at the Regulation 15 stage includes a technical drawing of the proposed access and an 'Indicative Site Layout' (Figure 9 in the Landscape and Visual Impact Appraisal Report) which raises further concerns associated with the chosen access and route within the site and its impacts in relation to landscape character, separation of Market Lavington and West Lavington, biodiversity and heritage (details of which can be seen in Appendix 2).

The NDP does not seem to acknowledge the significance of the impacts of locating an access off Lavington Lane (B3098). This is illustrated by para 3.12 of the WLNDP which states that "*The public realm of the two villages reflects its rural village character and the evolution of the villages over time. In many areas the public realm is informal in style, this could be eroded through the use of strict adherence to modern engineering or highway standards.*" This appears to be at odds with the engineered access being proposed on Lavington Lane to serve the housing allocation.

Given the above comments in relation to the proposed access and the indicative site access it is questioned as to whether the proposals would align with objectives set out in the neighbourhood plan, as well as with Core Policies 51, 57, 58.

Technical documents have been submitted with the plan as part of the evidence base, aimed at providing further information to show that the proposed allocation is deliverable. The Archaeological Assessment has been noted and Wiltshire Council confirm that no further assessment would be required.

However, it is noted that the Landscape and Visual Impact Appraisal and other technical reports were done at an early stage of the neighbourhood plan process and as such, the concerns raised about landscape and ecology impacts have not been taken on board or addressed through the reports.

It is assumed that a future planning application will provide the opportunity for updated technical reports to inform and refine proposals and to demonstrate how the development will align with the policies in the Wiltshire Core Strategy and the WLNDP, and address the planning issues raised through these comments.

Community benefits of the proposed housing allocation

The NDP discusses the potential community benefits, and puts forward the position that the community benefits outweigh the negative impacts of the development (paragraph 7.23). However, Wiltshire Council feel that the adverse impacts of the development may not have not been fully understood or clearly presented and question whether the full range of community benefits is achievable.

The community benefits are summarised on page 51 of the WLNDP and include:

- justification of a reduced speed limit,
- provision of an access point for the primary school, which would alleviate congestion and inappropriate parking on Sandfield,

The Development Brief and housing allocation policy appear to be based on the assumption that the speed limit in Lavington Lane will be reduced to 30mph. Whilst we have been supportive of the intentions of trying to provide community benefits in response to the scoping exercises of the neighbourhood plan process, Wiltshire Council advice remains that it is unlikely that a reduced speed limit would be supported due to the physical environment of the road as well as measured speeds. Therefore the development proposals must incorporate plans to accommodate the 40 mph speed limit of the road.

With regards to the location of access, from a highways perspective both points of access are acceptable. It is noted that the NDP puts forward reasons why the Sandfield access would not be preferred by the community, and that there are potential benefits of taking the access from Lavington Lane. There are, as explained above, remaining issues with the proposed access in relation to landscape, ecology and heritage. Wiltshire Council questions whether the Policy H1 and Development Brief should be amended in order that access be considered through the planning application process, which would be supported by relevant, up to date assessment. This would enable a Transport Study to provide an objective assessment of potential highway impacts, exploring the impacts of a new access from Lavington Lane, the introduction of a car park and re-routing school traffic, alongside other options such as passing bays, parking controls and enforcement being introduced on Sandfield.

The Consultation Statement and NDP mention that the community favour the access onto Lavington Lane (NDP para 7.22) and that the 'housing allocation has overwhelming local support' (Consultation Statement p134). It may be helpful for the supporting text to retain the inclusion of the community's support *in principle* for an access off Lavington Lane, as context and as a basis for the planning application process.

Specifications for the development – Policy H1 and Development Brief

As it stands, the specified access of the allocation appears to conflict with Wiltshire Core Strategy as well as objectives stated in the WLNDP. Wiltshire Council suggest that removing the stipulations regarding the '*access from Lavington Lane*' from Policy H1, the supporting text and the Development Brief would be appropriate for the reasons set out above. We feel that this would allow flexibility and proper consideration of the site's impacts and potential options through the planning application process.

Policy H1 and the Development Brief already include the requirement that a masterplan will be developed in collaboration with the community, the Parish Council and the Local Planning Authority, which is welcomed. This would provide a mechanism through which an

appropriate design, layout and access can be discussed and developed through a participative masterplanning process, informed by appropriate studies, assessment and consultation.

We note that the Development Brief discusses the constraints of the allocation site and possible mitigation measures and that the policy includes some requirements to steer the proposals. We consider that there are some site-specific guidelines, in relation to the numbered points below, that should be considered during the planning process and incorporated into the site design and layout. It is important that the wording of the policy and Development Brief does not undermine the ability of the development to achieve these objectives, in order that the development can mitigate the identified issues⁴ and contribute to achieving sustainable development and the neighbourhood plan objectives.

1. Given the rural context and significant landscape constraints of this site and its setting, including Manor House Woods (former designed parkland and ancient woodland) immediately to the north and the river corridor to the north and east a landscape-led layout is critical for this site.
2. Urbanisation of Lavington Lane and the area of separation between West Lavington and Market Lavington should be avoided, to maintain the rural character that is significant to the landscape character and the setting of the Conservation Area.
3. Siting the housing on the flatter part of the site away from the slopes so that it is not visible from Lavington Lane, and would allow for a substantial buffer of woodland along this northern part of the site. (The Topographical Survey indicates that the 79.0m contour might be the limit of development but this would need to be tested with sections.)
4. A substantial landscape buffer along the eastern edge to the river corridor and the northern edge to the ancient woodland should be incorporated, to allow for a significant area of specimen tree and woodland planting, open grassland, informal recreation and LEAP. This landscape buffer will also support the ecology objectives to protect bats associated with the river corridor and woodland, as well as the objectives to protect and enhance the setting of the nearby listed buildings and Conservation Area.
5. Due to the proximity of the ancient woodland associated with Manor House Woods and the Semington Brook corridor, any development would need to demonstrate that there will be no increase in lux levels at the edge of the trees and no significant increase in ambient light, particularly upward light spill above the site, in order to minimise impacts on bats.
6. A Flood Risk Assessment (FRA) and drainage strategy must be submitted in support of the planning application. The area has high groundwater which has implications for drainage. It must be demonstrated that arrangements for storm water and foul drainage capacity will not increase flood risk to existing properties. Runoff rates must reflect or improve on the existing greenfield rates and any discharge into the local watercourses must be at a controlled rate.

We support the inclusion of a pedestrian link and improved pedestrian crossing and have no objection to the inclusion of specifications in relation to housing type.

⁴ The identified issues are those that are based on currently available information. There may be additional considerations that come to light during the planning process through updated evidence and / or consultation.

The Policy and Development Brief currently include a requirement to provide a car park on the site as well as additional off-street parking to serve the primary school. Wiltshire Council do not have any objection to a car park being provided on site. We are aware that these requirements are not directly related to the new development and as such would not satisfy the legal tests for planning obligations. However, it is understood that the developer is willing to providing these community benefits. As such, in order to add support to the delivery of a car-park, it may be beneficial to allocate the land for a mixed-use development that would include housing and car park, rather than just housing.

The question has been raised as to whether the access drawing should be included within the Development Brief. This document reads as though it is a Design and Access Statement submitted as part of a planning application, discussing various options. We appreciate that the document has been created to provide information about the proposals and why they have been chosen, and also to identify constraints and possible mitigation measures. However, it is considered that the final Development Brief should be a simple document that contains the requirements of the development, with simple references to the evidence base, rather than a discussion of options.

With regard to the scale of development at this site, given the constraints discussed above it is likely that the amount of dwellings at this site will need to be reduced. The wording of policy H1 is 'up to 50 dwellings' and already provides the necessary flexibility.

Housing need and Policy H1

Policy H1 usefully includes consideration of the Housing Needs Survey (HNS) results in determining an appropriate housing type for the development. A small adjustment to the policy wording may help to clarify how housing type is determined for new development. The HNS is a snapshot in time and the plan acknowledges that housing needs will change over the time period of the plan. As such it may be preferable to use wording within the Policy H1 'Principles of Development' to provide for flexibility over the plan period, i.e. as well as referring to the '2017 West Lavington Housing Needs Survey' the addition of 'or subsequent credible evidence' would be beneficial. The supporting text could refer to the provisions of Core Policy 45.

Appendix 1

Summary of Wiltshire Council comments provided at the Regulation 14 consultation stage, in relation to the proposed housing site allocation.

Further comments, based on evidence available to Wiltshire Council at end of 2017

Since our initial comments were provided on the Nov 2015 draft of the neighbourhood plan, we were informed that the steering group preferred access to be taken from Lavington Lane. The following comments have been clarified in terms of how they are responding the different access options.

Heritage / landscape

As discussions have evolved in relation to access it has become clear that a significant amount of engineering will be needed to enable access to the site from Lavington Lane. The impact of this on the character of the rural lane should be considered.

The site is not directly adjacent to the West Lavington and Littleton Panell Conservation Area. However a prominent or extensive development has the potential for adverse effect on the setting of the conservation area. In particular the separation between West Lavington and Market Lavington is an objective which would be affected by development of this site.

Reduction in size, i.e. limiting the development to a smaller area and a modest number of dwellings, may help to alleviate some of the concerns. A Heritage Impact Assessment would help to identify significance of the site, potential harm and would inform proposals.

The site is in relatively close proximity to listed buildings: Clyffe Hall, Mill Farmhouse and Granary. The setting of these may be affected by development at the site and a Heritage Impact Assessment would be able to inform further.

What seems to be critical is the access route and its potential impact on the appearance of the area. The engineering involved to create a safe access off Lavington Lane has the potential to be visually intrusive and have an adverse impact on the landscape and the setting of the conservation area. The neighbourhood plan needs to go a step further to show what the potential impact of accessing off the main road would be and also the capacity of the site. Building close to the road on the higher ground has the potential to have an adverse impact on the rural approach to the village from the east.

Site has low archaeological potential. No further site assessment is necessary. (The SHLAA site 711 was evaluated in May 2017 which revealed nothing of archaeological interest. The site is now regarded as having low archaeological potential and if this site comes forward as a planning application there would not be a need for any further archaeological investigation or mitigation.)

From an historic landscape character perspective the site is characterised as a modern playing field / green space which has been created on former post-medieval fields, with little remaining legible character. As such the site has low sensitivity in terms of historic landscape and could accommodate change.

Landscape

Access/egress [off Lavington Lane] would be possible, but would need to break through a high, vegetated bank adjacent to the existing highway.

From discussion with the Highway Engineer, the engineering works are likely to be considerable and in landscape terms this is unlikely to be an acceptable option for access. As there is no layout / scheme design the extent of landtake and regrading to achieve the 1:15 slope, types of retaining structures, regrading of bank and removal of mature trees to achieve the sightline requirements etc. are all unknown and therefore it's impossible to make an informed opinion at the current stage. We are happy to comment on proposals as they are made available to us.

A suitable, vegetated buffer would be required to ameliorate impacts on existing housing stock.

Landscape

The site lies within the Greensand Vale landscape typology and the Landscape Character Area is 15A The Vale of Pewsey which is characterised by its broad, low-lying, level vale enclosed by escarpments of chalk upland to either side (in close proximity to the south of West Lavington is the Salisbury Plain). The settlement pattern of nucleated villages is mentioned in the Wiltshire Landscape Assessment as a positive feature and it is noted that modern development at the edges of settlements has tended to erode their historic pattern and character. The strategy is to conserve and improve the rural, agricultural character of the vale, maintaining the pattern of hedgerows, streams and remnant water pastures, wet meadows and woodlands and historic features. It also states that road engineering should be monitored to protect the rural character of the lanes.

It is considered that development at this site would result in potential landscape and visual impacts that could be successfully mitigated with robust mitigation and enhancement strategies. [This is a comment about the location of housing on the site, and does not respond to any of the particular access options]

In accordance with local plan policy and guidance, the development of the site for housing would offer the potential to deliver a comprehensive network of Green Infrastructure through public open space, connections to existing footpath networks and green corridors etc.

A green infrastructure buffer would be required to the housing and Lavington Lane (steep bank) and to the woodland and floodplain to north and east.

In accordance with local plan policy, the development of the site could protect and potentially extend the existing rights of way network, open spaces and common land assets. Currently the field is crossed with desire lines that link existing public rights of way (WLAV44, WLAV13), bridleway (WLAV29) and roadside footpaths so there is the potential to extend the existing rights of way network if these are considered in site design and layout. Development in this location would not result in loss of amenity greenspace. A site of this size has potential to include public open space within the site.

Ecology

Mature trees and hedgerows (a BAP Priority Habitat) should be retained. The grassland and gappy hedgerows also contribute to secondary habitat connectivity and should be retained wherever possible.

Impact on Manor House Woods (County Wildlife Site that contains BAP priority species) The ancient woodland (and its species) on the opposite side of the road from the site is likely to be affected by light from the development any associated highway improvements [should access be taken off Lavington Lane]. Due to the proximity of the woodland, any

development would need to demonstrate that there will be no increase in lux levels at the edge of the trees.

Semington Brook lies approx. 20m to the north of the site, on the opposite side of Lavington Lane, and also runs in close proximity to the north eastern boundary. Running water is a UK BAP Priority Habitat and it is likely that the brook is a habitat for a range of wildlife. The impact on Semington Brook would need to be considered and green infrastructure buffers would be required to protect the mature trees and hedgerows on and adjacent to the site as a minimum.

An appropriate ecological assessment will be required to accurately assess likely impacts and any necessary mitigation. There may be additional issues in relation to pollution prevention during the construction period for any development within this site, that will need to be addressed during the planning consultation process.

The site is within 2km (at its closest point) of the Salisbury Plain Special Protection Area (SPA) Due to the proximity to the SPA housing development may trigger contributions to Salisbury Plain SPA HRA Mitigation Strategy (Stone Curlew Project).

Contaminated land

At this stage of the assessment process, there is no evidence to suggest that the site is affected by contamination. However, all sites should be screened for any contaminated land potential.

Sustainable travel

The site is located immediately to the east of the heart of the large village of West Lavington / Littleton Panell which is a sustainable location in line with Core Policy 1 of the Wiltshire Core Strategy. Access to the site would be technically feasible [via Lavington Lane or Sandfield]. The site is within good walking/cycling distance of the centre of the village and can be reached through existing residential road network with footpaths. The site is also within approx. 1km walking/cycling distance of the local service centre Market Lavington. Bus stops are accessible from the site (within approx.. 350m) and provide connectivity to Market Lavington, Devizes, Salisbury, Trowbridge and Bath.

Therefore, from a highway perspective the location is generally acceptable. The site should provide cycleway links to both the village (Sandfield) and the B road to enable through movement for school children. It would also be beneficial for the school if the applicant was to provide some parking for the school traffic, as has been proposed. It will not be an area of parking that the Council would want to be responsible for so the ownership/policing would have to be with either the school (land dedicated to them) or the Parish Council.

Lavington Lane

As per previous comments there is some apprehension of promoting an access off the B Road. However positive advice has been offered to interested parties

There is no policy reason to object to a new vehicular access onto the B3098. Industry standards would be required to be achieved in relation to any new access, and this would be required to be demonstrated. The topography of the site suggests that, if an access from the B3098 is to be pursued, then particular attention should be given to ensure that the gradient is satisfactory for all users (including mobility impaired), and that the visibility provided for drivers is adequately provided, with no obstruction due to embankment height. Any access in the vicinity should also carefully address the specific issue of pedestrian movements in the area associated with the nearby Lavington School, and the potential for

the proposed development to change the nature of pedestrian and cycle trips in the vicinity, including the possible provision of a controlled crossing.

To provide a detailed response we would be happier to work over a detailed site layout.

We have confirmed that the road is 40mph. We do not foresee a desire for the road to be lowered to a lower speed as it is likely to fall short of the criteria for a lower speed. Basing the proposal on a 40mph limit any access should have a visibility splay of 2.4m x 120m to the nearside carriageway edge cleared of obstruction at and above a height of 900mm above the carriageway edge. This will mean a clearance of the hedgerow within this splay. The junction will be required to meet the adopted design standards TA42/95 published by the DfT. A simple priority junction will suffice. There should be a link provided between the site and the school on the opposite side of the road which will require a frontage cycleway and possibly a light controlled crossing (which will need to be met by contribution or works by the developer). The main problem with an access at this location is that the junction should have near level approach (at most 1m in 15 slope) which I am sure will require engineering grounds work within the site to achieve. From an engineering perspective anything is possible but this will impact on the environmental/heritage interest.

Sandfield

Taking access over this route provides a continuation of the built environment. The road currently offers adequate dimension to accommodate additional traffic movements. To be acceptable for use the road needs to measure a minimum of 4.1m (Manual for Streets) up to a preferable 5.5m. From a quick on screen measure the road appears to measure within these constraints across its length towards where it joins the main road. The recurring concerns over on street parking especially at school times are noted. With an allocated parking area for the school and the application of school time waiting restrictions the worst times of the day for parking can be mitigated. There is always the option to apply 24 restrictions if needs be. Though the concerns about on-street parking are noted and acknowledged they cannot be used as a material reason to not utilise this method of access. An informal crossing could be installed to help aid the crossing of the school children.

Drainage / water infrastructure

Development of the site for housing would need to be capable of positively responding to the predicted effects of climate change.

There is access to the sewerage network across the site to the west, which has the capacity to support approx. 50 dwellings. Further assessment would be required to inform proposals and should be submitted with any planning application.

Water supply infrastructure has limited capacity but would be capable of serving up to 50 dwellings at this site.

In developing the site for housing, consideration would need to be given to the installation of water saving measures in line with local plan policies, national policy and the objectives of the relevant water utilities company. It is considered possible on this site and no adverse effects are foreseen.

Flooding

This site lies within Flood Zone 1, but is in close proximity to an area of Flood Zone 2/3 and runoff rates must replicate or improve on greenfield rates. Consideration should be given to the inclusion of Sustainable Drainage Systems (SuDS) to control the risk of surface water flooding from impermeable surfaces. There may be issues with storm water drainage at this site as evidence indicates that there have been historic issues upstream. A

Flood Risk Assessment and Drainage Strategy will be required to inform planning proposals.

The site is in close proximity to Semington Brook. Any discharge into the local watercourses would need to be at a controlled rate.

The site is not within a Groundwater Protection Zone.

Housing provision / affordable housing

The development of the site for housing of up to 50 dwellings would help boost the local supply of affordable houses in accordance with national policy and local plan policy requirements. Policies in the Core Strategy require a mix of housing by affordability, tenure and size. A development on this site would help to meet local housing needs in accordance with the policies of the Core Strategy, and has the potential to deliver a significant level of affordable units alongside open market units. Development at this site would need to deliver an appropriate level of high quality, sustainable homes across a range of types and tenures.

Health services provision

Available evidence suggests that development at the village would not require additional capacity to be provided at either the West Lavington or the Market Lavington surgeries.

Education provision

According to current evidence there would be no reason why a site of this size could not go ahead from an education perspective.

In terms of school capacity, there is no current evidence to indicate that additional pupils from development could not be accommodated, though this may require expansion of schools.

Appendix 2.

Potential impacts of the proposed access onto Lavington Lane and the Indicative Site Layout, in response to new information submitted with the West Lavington Neighbourhood Development Plan at the Regulation 15 stage.

- The technical drawing of the access confirms the significant changes to Lavington Lane and associated impacts as identified in previous comments. The plans include road widening and considerable cutting back of the bank, including removal of mature trees to achieve the required visibility splay⁵. This confirms the significant change to the character of the lane, with associated landscape, ecology and heritage impacts as previously raised.
- The 'Indicative Site Layout' (Figure 9 in the Landscape and Visual Impact Appraisal) shows an access road located in the lower, north-eastern edge of the site. This has a high potential for adverse impacts on wildlife species associated with the vegetation of the adjacent stream corridor and the Ancient Woodland (both are UK BAP Priority Habitat), including rare bat species listed on Annex II of the European Habitats Directive. Adverse effects would include those from vehicle lights as they shine downslope into the mature trees and woodland that are adjacent to the north, and eastern edges of the site. All Annex II bats are known to be particularly sensitive to light and to changes in lighting regimes, often resulting in physical barriers to foraging and commuting along key flight lines. This does not appear to have been taken into account in the ecology assessment, since no bat activity surveys have been conducted in relation to the site or adjacent ecologically sensitive habitats. In addition, there appears to have been no ecological assessment of the adjacent stream corridor and its current function for biodiversity and how this may be impacted by the proposed layout, particularly the site entrance. As such, the concept drawing and the apparent plans for the access onto Lavington Lane and route / location of the roads within the development would need to consider these concerns as they are developed, in order to align with the WLNDP objectives, the WCS objectives and European Directives.
- It is considered that the indicative site layout would not achieve the objectives set out in the neighbourhood plan or the development brief, or align with WCS Core Policies 51 or 57. The area of proposed housing, as shown, is not located towards the centre of the site, as described but extends down the slope, and will be highly visible and prominent on the skyline from Lavington Lane. The proposed woodland block, as described, appears to be a narrow strip of planting in the area left over after the extensive earthworks/ regrading to achieve the widened lane, visibility splays and space required for substantial retaining structures. The existing trees on the bank, shown as being retained, would have to be removed to achieve the required 120m visibility splay. This would not achieve the objectives of policies BE1, H1 and NE1 which are to ensure that the landscape character and landscape setting of West Lavington is not adversely affected, and that it retains its separate identity. Policy NE2 also states '*Development which adversely affects the character, appearance, setting, recreational purpose, and*

⁵ The access drawing shows a visibility splay to the west of 98m, however a visibility splay of 120 m would be required due to the speed limit and measured speed on the lane. This would require the removal of the mature trees to the north west corner of the site.

tranquillity of the river corridors of North Brook and Semington Brook will not be permitted.....' The allocation site is adjacent to the Semington Brook river corridor and the indicative layout shows a road close to the relevant boundary of the site. The site is located between West Lavington and Market Lavington and care would need to be taken to ensure the sense of separation is maintained. The indicative layout would undermine further the separation between the two villages.