

From: Jamie Lewis [mailto:Jamie.Lewis@hunterpage.net]
Sent: 08 October 2015 16:51
To: clerk@wroughton.gov.uk
Cc: Conor Lee <conorlee@hannick.com>
Subject: Strategic Environmental Assessment of the Wroughton Neighbourhood Plan

Dear Mrs Holman,

The comments below are made on behalf of my client Hannick Homes and Developments Limited (Hannick) in relation to the draft SEA of the Wroughton Neighbourhood Plan.

Hannick welcomes both the SEA and the opportunity to comment on this process.

Hannick notes that the purpose of the SEA process is to discharge the duties of EU Directive 1001/42/EC through the Environmental Assessment of Plans and Programmes Regulations 2004. Hannick also notes the SEA Scoping Opinion issued by Swindon Borough Council in July 2015.

At paragraph 1.8 the necessity to comply with the Local Plan is highlighted with the recognition that at least 150 dwellings be accommodated as set out in Local Plan Policy SD2. This is welcomed by Hannick. However, the following reference to 'within the village settlement boundary' does not reflect the policy for Wroughton or Highworth in SD2 but the 'other villages'.

Hannick notes that the number of dwellings allocated (175) exceeds the minimum of 150 dwellings set out in the Local Plan. Given this, it is important that the deliverability of each of the allocated sites is considered or the SEA objective of providing decent and affordable housing for everyone cannot be met. Hannick has previously suggested that development proposed at DP3 and DP7 (59 dwellings in total) cannot be delivered (the Neighbourhood Plan itself has a preference for an alternative use at DP7).

The development proposed by Policy DP2 in the Neighbourhood Plan is not compatible with SEA objective 7 as stated at paragraph 3.4. Given that it proposes an incursion into the protected gap between Swindon and Wroughton that is established by Local Plan Policies NC1 and RA2. It is therefore difficult to see how this particular proposal can be considered to have a positive effect. In addition, the site is not PDL and therefore incorrectly assessed as being most sustainable against alternatives.

Given the previous two points, it is not acceptable that alternatives have not been assessed.

I'd be grateful if you would acknowledge safe receipt.

Kind Regards

Jamie Lewis MRTPI
jamie.lewis@hunterpage.net



Finalist in the RTPI Awards for Planning Excellence 2015

Visit our website at www.hunterpage.net
Cheltenham (Head Office) Swindon

Thornbury House
18 High Street
Cheltenham
Glos.
GL50 1DZ

Suite 14
Pure Offices
Kembrey Park
Swindon
Wiltshire
SN2 8BW

T 01242 230066
F 01242 230880

T 01793 268075

E Jamie.lewis@hunterpage.net
WWW.hunterpage.net



DRAFT WROUGHTON NEIGHBOURHOOD PLAN

REPRESENTATIONS ON BEHALF OF HANNICK HOMES AND DEVELOPMENTS LTD

IN RESPECT OF LAND EAST OF MARLBOROUGH ROAD

1. Introduction

- 1.1 The Draft Wroughton Neighbourhood Plan (DWNP) has been published for public consultation 29 September 2014 to Monday 17 November 2014 and Hannick Homes welcomes the opportunity to comment on this document.
- 1.2 Hannick Homes is promoting land, 5.71 hectares in size, to the east of Marlborough Road for residential development. An outline planning application for up to 103 dwellings (101 net) was submitted in December 2013 on this site (Application Reference: S/OUT/13/1862). The planning application was refused by Swindon Borough Council's planning committee on 10.06.14. Hannick Homes believes the refusal reasons provided are not justified and will be providing evidence to support this in due course.
- 1.3 The DWNP covers the whole of Wroughton Parish, which includes Alexandra Park, Thorney Park, Langton Park, Beranburh Field, the hamlets of Elcombe, Bassett Down, Overtown and Salthrop and the land which will be developed as the new communities of West Wichel and Middle Wichel.
- 1.4 At paragraph 184 the National Planning Policy Framework states that Neighbourhood Plans '...must be in general conformity with the strategic policies of the Local Plan' (in this case the Swindon Borough Local Plan).
- 1.5 The statutory Development Plan in this case constitutes the saved policies of the Swindon Borough Local Plan 2011 (SBLP).

2. Policy Implications

2.1 The Localism Act in the 2012 Regulations sets out 'basic conditions' that have to be met by a Neighbourhood Plan. These are that the plan will:

1. *Have regard to national policies and to advice contained in guidance issued by the Secretary of State;*
2. *Contribute to the achievement of sustainable development;*
3. *Conform with the strategic policies contained in the development plan for the area; and*
4. *Not breach, and be otherwise compatible with EU obligations relating to Strategic Environmental and Habitats Assessment and be compatible with Convention rights, within the meaning of the Human Rights Act 1998.*

The comments made in this representation will refer to conditions 2 and 3.

Adopted Swindon Borough Local Plan 2011

2.2 As referred to already, the statutory Development Plan in this case constitutes the saved policies of the Swindon Borough Local Plan 2011 (SBLP).

2.3 That plan has an 'end date' of 2011 and those policies which provide for a quantum of development to take place within a time frame are no longer of relevance. This applies specifically to policies for housing provision.

2.4 Policy S11 defines a village centre for retail purposes with strong restrictions on proposals for non-Class A uses. This will have strong emphasis on the deliverability of site DP3 which falls within this area, as development for dwellings will be resisted in favour of Class A1 uses. For Wroughton this policy is defined as;

Wroughton

Policy S11

Within Wroughton village centre, as defined on the Proposals Map, proposals for Class A1 uses shall be permitted providing they are appropriate to the scale, function and character of the village centre and that they reinforce pedestrian links within and between the defined areas.

Proposals for non-Class A1 uses shall be permitted where they:

- a) *Reinforce Wroughton's village centre function; and*
- b) *Either by themselves or cumulatively with other uses, shall not harm the vitality and viability of the centre; and*
- c) *Shall not result in a group of three or more adjoining non-Class A1 uses.*

- 2.5 Policy ENV13 defines a rural buffer between Wroughton and the M4 which allows development only where it retains or enhances the existing character of the countryside. It states;

Rural Buffers: ENV13

Development within rural buffers, as defined on the Proposals Map, shall only be permitted where it retains or enhances the existing character of the countryside and:

- a) Involves the reuse, conversion or extension of existing buildings at a scale appropriate to their location, in accordance with the criteria specified in Policy DS7; or*
- b) Is an essential requirement directly related to the economic or social needs of the rural community; or*
- c) comprises an individual element of a Borough wide park and ride strategy; or*
- d) Is for the on-site expansion of existing educational establishments.*

- 2.6 Several recreational open spaces are also protected from development by Policy R4. This policy states:

Protection of Recreational Open Space: Policy R4

Development, which would result in the loss of public open space, playing fields, allotments and other important recreational open spaces including those defined on the Proposals Map, shall not be permitted unless:

- a) It can be demonstrated that there is an excess of recreational open space according to the Council's standards set out in Appendix 8 and its loss would not adversely affect the current or future recreational needs of the local population; or*
- b) It can be demonstrated that alternative provision can be made of equivalent or better size, quality and accessibility; or*
- c) The proposed development is ancillary to the main use of the site for recreation and protects or enhances the quantity and quality of provision on the site.*

- 2.7 Policy H2/24 within the Adopted Swindon Local Plan also has an influence on the development capabilities within Wroughton, with site DP7 falling partly within this strategic allocation, with the remaining land falling into land restricted by LP Policy R4. It states:

Non-Strategic Housing Allocations

Policy H2

In order to meet the objectives of Policy H1 and to achieve the target of 40% of all dwelling completions in the Borough over the Plan period taking place on previously developed land, the following sites of 0.4ha or more and/or 10 dwellings or more are allocated for housing development:

- 2.8 It is evident that proposed Policy DP2 of the Neighbourhood Plan is not in conformity with ENV13 of the adopted Swindon Borough Local Plan. There is also significant uncertainty with regard to the deliverability of DP7 given that it was previously identified as a proposed housing allocation within the adopted Local Plan (Policy H2) but remained undeveloped during the Plan period, with this allocation being subsequently abandoned within the emerging Local Plan. The site also constitutes restrictions from Policy R4 adding further doubt towards its deliverability.

Emerging Swindon Borough Local Plan

- 2.9 A draft Neighbourhood Plan is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a Neighbourhood Plan is tested. It is clear that the Wroughton Neighbourhood Plan is being prepared to be in conformity with the emerging Swindon Local Plan 2026 which identifies a requirement for at least 150 dwellings.
- 2.10 In addition, the emerging Local Plan has a policy requiring a review and roll forward of the housing requirement to be completed by 2016. This in turn is likely to increase further the dwelling requirement for Wroughton.
- 2.11 The emerging Local Plan also has strong policy reference to continuation of the protection of land between the M4 and Wroughton (Policy RA2 and Policy NC1) which seeks to prevent any extension to the north as it would bring about coalescence. Policy NC1, which relates to new communities at Wichelstowe specifically identifies a strong resistance to development between Wroughton and Swindon, stating at point g:

Policy NC1: Wichelstowe

g. The character and identity of Wroughton will be protected by a principle of non-coalescence between the settlements. The land between Wichelstowe and the village shall remain part of the countryside. However, small scale development within this area, as defined on the Proposals Map, will be permitted where it retains or enhances the existing character of the countryside and:

- Involves the re-use, conversion or extension of existing buildings at a scale appropriate to their location, in accordance with the criteria specified in Policy DE1; or*
 - is an essential requirement directly related to the economic or social needs of the rural community.*
- 2.12 Also of note is policy RA2 which specifically relates to Wroughton, and also indicates development within the area between Wroughton and Swindon will be resisted to prevent coalescence. It states:

Policy RA2: Wroughton

a) *Development at Wroughton shall be in accordance with Policies SD1 and SD2 and should support the following local priorities at Wroughton:*

- *Retain Wroughton's independent identity from Swindon by maintaining separation between Wichelstowe and the village;*

2.13 Alongside this policy, playing fields are protected from development by Policy EN3, part b which states:

Policy EN3: Public Open Space

b. Public open space assets defined on the Proposals Map will be protected from development unless:

- *It can be demonstrated that alternative provision can be made locally of equivalent or better size, quality and accessibility; or*
- *The proposed development is ancillary to the main use of the site and protects its public open space function; or*
- *The proposed development is subject to an appraisal to ensure it does not adversely affect local needs and existing quality of open space within the area in accordance with the Council's Standards, as set out in Appendix 4 and in the most recent Open*
- *Space Audit and Assessment); or*
- *The proposed development provides community benefit which outweighs the loss of open space.*

2.14 These policy areas as indicated through SBLP proposals map conflict with proposed development sites DP2 and DP7. It is clear therefore that if the Local Plan 2026 is adopted as currently proposed, proposed Neighbourhood Plan site allocations DP2 and DP7 would not be in conformity with it.

3. Comments on the allocated sites

- 3.1 Hannick Homes has assessed the principal allocations within the draft Neighbourhood Plan and outlines its comments below.
- 3.2 Site DP3 – Wharf Rd Infant School is currently unavailable and would need to be replaced before it could be brought forward. In the absence of any confirmed plans to relocate the school this site cannot be considered deliverable.
- 3.3 Site DP4 (Garage on Perry Lane) is currently identified as undeliverable with the Swindon SHLAA 2013 stating the site owner has showed no interest in releasing the site for development purposes. The site is also undeliverable as a result of its access, with no solution currently available to overcome this issue. As a result it must be viewed that this site is undeliverable in the DWNP and should be removed from allocation.
- 3.4 Site DP7 (Ridgeway School Playing Fields). As noted previously this site was identified as a housing site within the adopted Swindon Borough Local Plan but remained undeveloped throughout the Plan period. This, coupled with its identification within the emerging Local Plan as Open Space, raises significant questions over its appropriateness as a proposed housing allocation within the draft Neighbourhood Plan.

Key Site Proposal DP2

- 3.5 Site DP2 is the largest of the proposed allocations. It is clear that this proposal does not offer a viable site in order to contribute to achieving the figures set out in the DWNP. The key constraint as touched upon above is the neglect of strategic policies within both the emerging and adopted local plans with specific focus on coalescence.
- 3.6 In terms of sustainable development, the site currently lies 1.2 miles away from the 'heart of the village', with accessibility issues identified in relation to convenience stores and health facilities. This is in comparison to Hannick Homes' site which is adjacent to the heart of the village offering a highly accessible and thus sustainable location for development.
- 3.7 Site proposal DP2 also presents an issue with regards to an assumption of being predominantly brownfield land as set out in the DWNP. The site is at present predominantly in agricultural use designated as greenfield land from the north curtilage to the south, with the only designated brownfield land a small plot between 11-15 Woodland View. This site is similar to Hannick Homes' site, made up of predominantly greenfield land, therefore it begs the question as to why this site has been proposed for allocation whereas Hannick Homes' has not, especially in light of

site DP2 being contrary to existing Development Plan Policy ENV13 and being notable unsustainable.

3.8 As briefly touched upon, Site DP2 is in conflict with both the current and emerging development plan, with specific reference to adopted Policy ENV13 and emerging Local Plan Policy RA2. Similarly, site DP7 conflicts with both the adopted Local Plan and the Emerging Local Plan with regards to Policy R4 and Policy EN3 respectively. As a result this means that they do not contribute to sustainable development in line with the development plan.

3.9 With there being such uncertainty surrounding the delivery and sustainability of sites allocated in the DWNP, in particular Site DP2, there will be a need for additional sites to be allocated. At present Policy RH3 in the DWNP is highly restrictive of development stating:

'No development will be permitted on any greenfield or brownfield site outside the village settlement boundary (as defined by the Swindon Local Plan 2026) unless the site is allocated as a potential development site within the Wroughton Neighbourhood Plan 2014 - 2026.'

3.10 Given that there will be a need to identify at least an additional 194 dwellings to replace sites DP2, DP7, DP4 and DP3, Policy RH3 should not be retained in the DWNP¹. The unreasonable nature of such a policy severely inhibits the ability to meet the required level of development within Wroughton.

¹ Relocation of the school at DP3 would also be contrary to Policy RH3.

4. Alternative Site

- 4.1 Hannick Homes is in control of 5.71ha of land located to the east of Marlborough Road which has the capability to deliver up to 103 dwellings. The site is currently available and deliverable within the 0-5 year bracket making it a strong candidate to be allocated within the Wroughton Neighbourhood Plan.
- 4.2 Any land to the South of Wroughton is unsuitable due to it being designated as An Area of Outstanding Natural Beauty. Land to the north of Wroughton is protected from development to ensure separation from Swindon. Similarly, land to the south west of Wroughton rises very steeply and development here would have a significant visual impact on Wroughton and its setting. The site in question lies to the east of Wroughton where the constraints to development are minimal.
- 4.3 The site is screened by development on three sides and by woodland and vegetation on the other. This development and dense woodland also protect the site from views from the Area of Outstanding Natural Beauty to the south. In addition there is very little ecological or archaeological interest on the site and there are no overriding landscape constraints to the development of the site.
- 4.4 The land east of Marlborough Road also offers a high level of sustainability with the site boundary adjoining the edge of the 'heart of the village'. This in essence gives it strong links to medical care, convenience stores and education facilities.
- 4.5 When viewed against the proposed allocations in the DWNP, Hannick Homes' site offers a more suitable alternative which should be allocated to meet the future housing requirements of Wroughton. This comes in light of a requirement to replace several sites which have failed the Neighbourhood Plan tests to conform to the Development Plan and includes proposed site allocations DP2, DP3, DP4 and DP7.

5. Summary

- 5.1 Hannick Homes and Developments Ltd acknowledges the work undertaken by the WNP Steering Group in preparing the DWNP and welcomes the opportunity to comment upon it.
- 5.2 The risk to such pioneering work is that the foundations on which it is based (Swindon Borough Local Plan and its own evidence base) have not yet been adopted and are due further review. Notwithstanding this, the requirement for a review and roll forward of the housing requirement to be completed by 2016 will undoubtedly increase the amount of housing to be found in Woughton via the WNP.
- 5.3 Furthermore, Hannick Homes has identified shortcomings in relation to a number of proposed housing allocations, both in terms of deliverability and conformity with the Local Plan. With this in mind, there will be a need to identify additional sites within the Neighbourhood Plan to ensure the Parishes housing needs are met over the plan period.
- 5.4 Hannick Homes is of the view that additional residential development sites will need to be identified within the draft Neighbourhood Plan, with their site on land east of Marlborough Road being the most appropriate and sustainable site available.