

PRESHUTE NEIGHBOURHOOD PLAN 2021-2036

Regulation 15 Submission

Regulation 14 Consultation

(Part 2 Preshute PC responses)

REGULATION 15, TOWN & COUNTRY PLANNING, ENGLAND, NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 (as amended)

PREPARED BY PRESHUTE PARISH COUNCIL

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1.0 INTRODUCTION

1.1 Preshute Parish Council conducted a Regulation 14 Public Consultation for its emerging Neighbourhood Plan (NP) during March and April 2022. The Consultation was publicised in the local press and media, with a poster campaign throughout the parish (please see document titled Appendices to Consultation Document, Appendix A4). Every household was sent a leaflet (Appendix A5) with a reply paid envelope to respond to the general questions regarding the proposed NP. The PC website carried headline links to a dedicated NP webpage explaining briefly the aims of the NP, links to the draft NP itself and an online reply panel.

1.2 Members of the Preshute community, adjacent parish councils, Wiltshire Council and relevant agencies and bodies were given access to or sent copies of the draft NP for their comments.

1.3 This document summarises all the replies received during the Regulation 14 consultation and the responses of the Preshute NP Working Group. Appendix A6 lists all the agencies and bodies sent copies of the draft NP.

2.0 STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING

2.1 The Neighbourhood Plan Working Group applied to Wiltshire Council for a Screening opinion as to whether a SEA or an Assessment under the Habitat Regulations was required. Wiltshire Council have confirmed that neither a SEA or an HRA is required.

3 AGENCIES, INFRASTRUCTURE & INTEREST GROUPS

3.1 NORTH WESSEX DOWNS AONB

Plan noted, no objections received.

3.2 HISTORIC ENGLAND

3.2.1 Historic England have confirmed to WC that a SEA is not required (letter to WC of 8 February 2022). However Historic England proposed an amendment to the policy wording is PRES 3.

3.2.2 Historic England further commented that the proposed allocated site adjacent to Elm Tree Business area is a brownfield site.

3.2.3 Wiltshire Council have taken account of the views and suggestion of HE and have proposed an amendment to the wording of PRES3.

3.2.4 The Neighbourhood Plan Working Group have amended the wording of PRES 3 as requested by WC.

3.3 NATURAL ENGLAND

3.3.1 No objections were made to the draft NP and NE stated that the NP proposals were not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

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3.4 ENVIRONMENT AGENCY WESSEX SUSTAINABLE PLACES

3.4.1 The agency confirmed that they had no comments on the draft NP.

3.5 ENVIRONMENT AGENCY

3.5.1 As there are no proposals in the fluvial flood zones 2 and 3 the EA have no detailed comments. The EA suggest landscaping and sustainable drainage systems. The NP proposes tree planting and SUDS are a matter to be incorporated in any planning applications.

3.6 SWINDON & NE WILTSHIRE RAMBLERS

3.6.1 The draft NP (para 5.2.8) noted the NPPF statement protect and enhance PRoWs and access to them. From the viewpoint of public amenity and Healthy Placemaking, Preshute PC stressed the importance of the extensive network of PRoWs within the parish area and the desire for improvements, including signage. The NP Working Group have taken on board the comment from the Wiltshire Ramblers that 'there is no policy relating to this or how it might be achieved. We would like to see this omission rectified.'

3.6.2 Preshute PC see the task of resolving this overall improvement as an important aspirational objective that is being actioned within the normal business of the PC and taken forward by a designated Councillor.

3.6.3 We thank the Ramblers also for bringing to our attention the situation with bridleway PRES17 terminating on the A345 with no obvious connecting route and that footpath PRES18 appears to be a 'Cul-de-Sac'.

3.7 THAMES WATER

3.7.1 Thames Water recommended that any planning permissions be subject to a planning condition concerning water consumption. We agree with this recommendation . Whilst this is a matter for the Planning Authority to consider when granting planning permissions the NP has been amended by including the proposed text as an advisory note.

3.7.2 Thames Water also recommended that the NP contains a policy regarding Proposed new Water/Wastewater Infrastructure should any be required.

3.7.3 Thames Water also proposed that the NP addressed the issue of Sustainable drainage and recommended that the NP contain a paragraph on this subject.

3.7.4 The NP Working Group have amended the NP to include the recommended policy and the recommended paragraph on sustainable drainage.

4 COMMENTS BY SURROUNDING PARISHES

4.1 MARLBOROUGH TOWN COUNCIL

4.1.1 The Planning Committee of Marlborough Town Council resolved to note the draft NP and had no comments on its content at its meeting on 14th March 2022.

4.2 KENNET VALLEY PARISH COUNCIL

4.2.1 The Parish Council supports the objectives of the draft NP . The Parish pointed out a typo which has now been corrected.

4.3 SAVERNAKE PARISH COUNCIL

4.3.1 The Parish raised no objections and made no comments.

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4.4 OGBOURNE PARISH COUNCIL

4.4.1 The Parish Council raised no objections and made no comments.

5 COMMENTS FROM RESIDENTS

5.1 Two objections were lodged in relation to the proposals for development at Elm Tree business area.

5.2 The objections raised a number of matters

- Wiltshire Core Strategy states that this area is not one where large and extensive commercial development is planned
- Limiting the affordable housing to local people will reduce mortgage availability
- Lack of local amenities
- Road safety
- Creating a precedent for further development
- Extension of the business park is appropriate
- Contrary to designation as AONB
- Capacity of water services
- Effect on amenity, value of house and views
- Traffic problems

5.3 The NP Working Group have considered these objections.

5.4 PRES3 identifies a small brownfield site within the curtilage of existing business development.

5.5 The NPPF prioritises development of brownfield land.

5.6 The site is small and the proposals do not amount to large or extensive commercial development.

5.7 The policy proposes appropriate business use (which one of the objectors supports) or a small mixed-use development containing up to 3 affordable houses for local people and 3 market houses.

5.8 As the site is well defined and already a brownfield site, not on the skyline and well screened it will have minimal affect on the AONB, and will not create a precedent as there is no other brownfield land nearby.

5.9 Thames Water have not objected to the proposal on grounds of water supply capacity.

5.10 The site already has an access to the A4 and traffic impact from a very modest development will be modest also. The traffic from up to 6 houses may not be qualitatively different from traffic from commercial or business uses which one objector supports. Road

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safety and highway capacity is a matter for Wiltshire Council to consider with any planning application.

5.11 With regard to mortgage availability for the affordable houses, this is not a planning matter and the tenure of the affordable houses is a matter for the housing association. If the houses were to be rented then mortgage ability is not an issue in any case.

5.12 The affect on amenity is a valid planning matter and one which will need to be addressed in any future planning application and will need to be considered in the Design and Access Statement, landscaping proposals, orientation, design, size and height of the buildings. The allocated area has a degree of separation from the existing houses which should enable a good-neighbourly and well mannered development to be designed.

5.13 The NP Working Group have concluded that the proposed policy – with amendments proposed by Historic England, Wiltshire Council and Thames Water is sound.

6 COMMENTS FROM MARLBOROUGH COLLEGE

6.1 The draft Preshute NP has been prepared to conform to the NPPF and Adopted Core Strategy. The Plan area is a rural area within the North Wessex Downs AONB. The plan demonstrates the special qualities of this part of the AONB with its kaleidoscope of special interests and qualities forming the gateway to the world heritage site of Avebury and forming the landscape setting around Marlborough. The proposals conform to NPPF para 176 and 177 and seek to conserve and enhance the quality of the area whilst making provision to support the local economy and meet local needs.

6.2 The aim of the College representations appears to have the objective of achieving beneficial outcomes for the College and seek either to defer the NP or seek advantageous allocations. They pay little regard to impacts or planning policies.

6.3 Para 3.1 states that the Preshute NP should seek to positively plan for the needs of the community over the plan period. The PNP does contain proposals to meet the needs of this community and proposes to allocate a small non-strategic site for business use and/or a mixed use development of employment and a limited number of dwellings on a brownfield site, as well as proposing a policy regarding re-use of surplus agricultural and other buildings for a variety of uses in order to assist local businesses, diversify agricultural businesses and put redundant rural buildings to new uses and prevent dereliction.

6.4 In terms of local needs, the adopted Wiltshire Core Strategy proposed 240 houses in the Marlborough Community Area (excluding Marlborough itself) which contains 19 parishes including the villages/small towns of Ramsbury and Aldbourne. The number of houses and extent of employment development for the remaining rural parishes is very limited and the Preshute PC proposal for up to 6 houses is in keeping with this policy. The documents produced for rural areas as part of the early work on the Wiltshire Local Plan to 2036 continue this incremental development. Consultation on the issue for the Preshute NP showed support for a small number of houses for local people and it is proposed that the 3 affordable homes would be managed by a local trust or rural housing association. It is not possible to assess housing needs at the level of a rural parish using the standard methodology and so we have relied on residents views and adopted Core Strategy policies.

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6.5 Most of the College comments attempt to justify the draft Marlborough Area Neighbourhood Plan and as such are not relevant to the Preshute NP.

6.6 In their representations, the consultants for the College appear to be acting as spokespersons for the MANP. This is not entirely surprising as the College Estate Director was a key member of the MANP Steering Group, which prepared that plan, until very recently when he left the employment of the College.

6.7 It is not the role of the Preshute NP Working Group to comment on the MANP, apart from noting that the MANP has not been adopted and that at the time of writing there appear to be over 100 substantive objections to the draft plan. We understand further that there are a number of objections and concerns from statutory bodies such as the AONB, Environment Agency and others. It appears that there are a number of issues requiring clarification since the Regulation 16 draft plan was sent to the Inspector on 29th November. Wiltshire Council also had a number of objections to the MANP in their Basic Test report.

6.8 The College representations seem to suggest that residential development should be proposed on Barton Dene and elsewhere in Preshute. There is no evidence to justify such a notion. The out of date housing opinion survey carried out by the MANP Steering Group in 2016 is fundamentally flawed and cannot be relied on for anything. The opinion survey asked all residents if they intended to move house by 2021 and what they could afford. This figure was then scaled up to derive a number of houses. This odd methodology does not conform to the standard methodology for assessing housing needs and in any event is out of date. The MANP did not take into account re-lets of existing affordable homes which average 20 every year or 300 over the plan period. Furthermore only 16 of the 80 affordable houses offered between 2016 and 2021 were taken by local people. Therefore the requirement for more affordable homes in a dormitory town with few jobs and poor public transport is simply 'anecdotal' as described in the College comments.

6.9 Adding more housing to a town with few jobs (or prospect of jobs) and very poor public transport is clearly unsustainable, as this would imply commuting to access jobs elsewhere either by car (for those with access to a car) or great difficulty for people without a car.

6.10 Para 1.3 of the Core Strategy states that a key Principle underlying the plan is:

- 'Providing the most sustainable pattern of development that minimises the need to travel and maximises the potential to use public transport.'

Another key Principle is:

- 'Managing development to ensure that jobs and the right infrastructure are delivered at the right time to ensure that out-commuting in particular to areas outside Wiltshire is not increased and development does not have an adverse effect on infrastructure.'

6.11 The aim of the College is to have large areas of Preshute in their ownership allocated for housing - the most valuable land use. This is contrary to the Core Strategy.

6.12 Para 4.1 states that Wiltshire does not have a 5 year land supply. This is true and the WC Briefing note of 4th April 2022 confirms there is 4.72 years supply. Footnote 7 confirms that the presumption in favour of sustainable development does not apply where other NPPF policies or designations apply such as Green Belts and AONBs.

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6.13 The paragraph suggests that because WC are preparing a Local Plan there is ‘little sense for the Preshute NP to be progressed in advance of the Local Plan.’ This is a bizarre suggestion when the Preshute NP contains no strategic proposals, whereas the College expounds the virtues of progressing the MANP in advance of the Local Plan when it does contain strategic proposals. These strategic proposals are inconsistent with adopted strategic policy, without any sound evidence and ignore the NPPF policies applying to AONBs set out in NPPF paras 176 and 177 (which precludes major development except in exceptional circumstances). No exceptional circumstances have been demonstrated.

6.14 Para 4.2 states that ‘The Local Plan Review Proposes a requirement for Marlborough of 245 houses.’ We would like to point out that the Local Plan does not yet exist and the College comments seem to be based entirely on this flawed assertion.

6.15 In fact at the early stage of the work on the Local Plan Wiltshire Council tested three scenarios for Marlborough:

- 50 houses with no employment,
- 135 houses with 4ha of employment, and
- 245 houses with 3 ha of employment

The scenario for 50 houses with no new employment was proved to be the most sustainable.

6.16 The MANP makes no provision for any new employment sites or business park for 2020-2036. The balanced Core Strategy policy for 2006-2026 for 3ha of employment land and 680 houses has not been achieved. Whilst 721 houses have been developed or have planning permission, the 3ha of employment land required in that strategy has not materialised and has already resulted in considerable out-commuting by car.

Additional housing would make the town even more unsustainable.

6.17 We see no relevance to the comments about the existing medical practice in Marlborough and whether they do or don’t require more space and whether they will or won’t simply extend their existing building onto their existing site.

6.18 In any event medical practice development is a matter for the Clinical Commissioning Group, not the MANP Steering Group.

6.19 None of this is relevant to the Preshute NP.

6.20 The comments mention the policy of limiting development to land over 150m. Para 1.7 suggests that development should be limited to 155m.

Marlborough is an attractive market town where development has historically occurred within the valley of the River Kennet. The issue is simply one of protecting the character and appearance of the AONB, protecting the rich biodiversity and historic landscape of the town's setting and avoiding development on the skyline as seen from key National Trails and vantage points. The objective is to avoid development that would intrude on the skyline - adversely affecting the setting of this Kennet Valley town. Clearly, height of buildings is a key variable. In Barton Park for example, the houses are two storey but the actual finished floor levels of houses at the established urban edge are at least 2 metres below the previous ground levels. This is specifically to avoid any visual intrusion on the skyline and to protect the character of the AONB.

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6.21 We have identified key view points from national trails and paths that are very well used. These locations and views are not just countryside, or views of countryside, these are key views of national importance of the North Wessex Downs AONB. These are key viewpoints because they form the landscape setting of Marlborough - an historic market town containing conservation areas, ancient monuments, numerous listed buildings and many other places and buildings of heritage significance, which is nestled in the Kennet Valley. Views from National Trails such as the Wansdyke and the White Horse Trail (and other well-used footpaths) look over the town across the AONB north towards Barbury Castle, to the north west towards Hackpen and to the west the World Heritage Area at Avebury. If development took place on higher land beyond the lower river valley sides, the sky-line would be broken and the views across the AONB interrupted.

We believe that a policy protecting these iconic views is warranted and useful.

6.22 The wording of policy could be improved and the key issue when considering impact on the sky-line is the total height of development rather than current OS level regardless of building heights. Rather than applying a specific height we have suggested criteria that should be met by development should there be any exceptional circumstances which justify development on greenfield land outside the settlement boundary in the AONB.

We have addressed wording of policies in the policies in the Basic Conditions Statement.

6.23 For the avoidance of doubt no proposals in the Preshute Plan apply to land within Marlborough Town Council boundaries.

6.24 However, the defining factor is that there is no evidence to support strategic development on greenfield land in the AONB in Preshute and there are no exceptional circumstances to justify it.

6.25 As the Preshute NP does not propose strategic development there is no need to defer the plan until the Local Plan is adopted - unlike the MANP.

7 COMMENTS FROM WILTSHIRE COUNCIL

7.1 Wiltshire Council have provided comprehensive comments on the draft NP.

7.2 These helpful comments confirmed that the Preshute Neighbourhood Plan was unlikely to give rise to any impacts that required the preparation of a Strategic Environmental Assessment under the terms of the Strategic Environmental Assessment Directive. The comments also confirmed that the draft Neighbourhood Plan was unlikely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species (Amendment) (EU EXIT) Regulations 2019), and that a Habitats and Species Assessment was not required.

7.3 The comments pointed out that a Basic Conditions Statement was required to accompany a Regulation 15 submission. The Working Group have now prepared a Basic Conditions Statement as requested.

7.4 The Working Group have also prepared a stand-alone Consultation document as suggested as a replacement to the appendix. This statement forms a part of that.

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7.5 The comments also pointed out that Fyfield Down is now no longer a National Nature Reserve and so the plan has been amended to correct this.

7.6 The comments also suggested amendments to policy wording and sought further explanations to justify policies and some additional context. The Working Group have made a number of amendments to the NP as requested by Wiltshire Council. Additional explanations and context, and clarification of objectives etc., have been made and are set out in the Basic Conditions Statement.

7.7 We thank the officers of Wiltshire Council for the advice and assistance they have provided and trust that we have responded positively to all the comments made.
