

NORTH BRADLEY PARISH COUNCIL

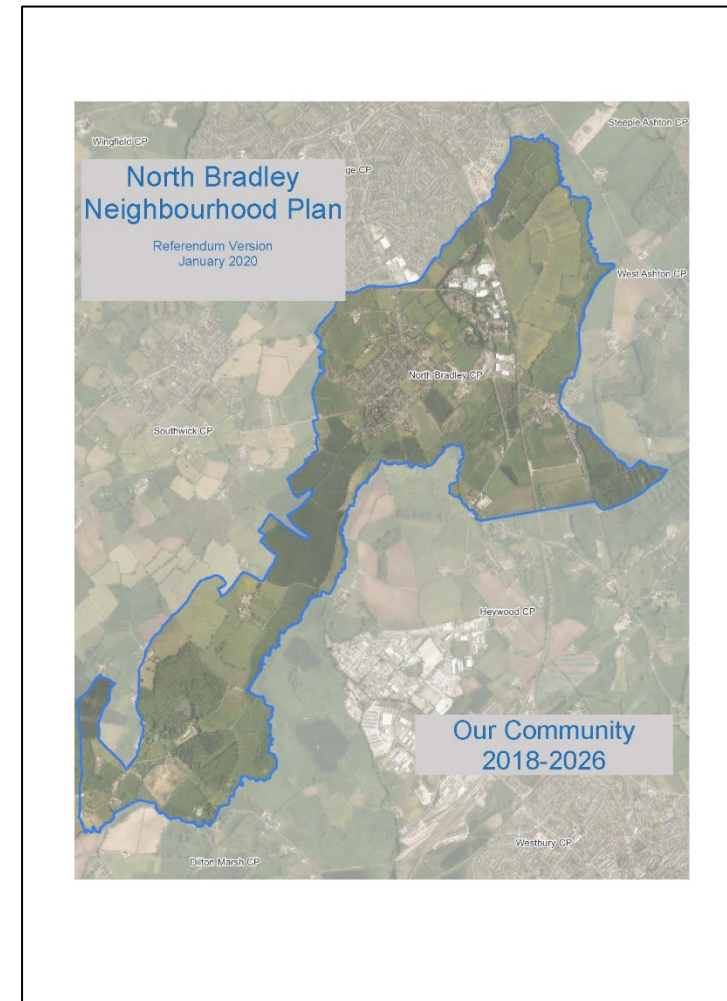
Comments on Planning Application 20/03641/OUT

WHSAP Site H 2.2

Land South of White Horse Business Park, Trowbridge, Wilts

1.0 Introduction and Scope of Comments

- 1.0 Site H2.2 was allocated in the Wiltshire Housing Site Allocations Plan (WHSAP) for approximately 175 dwellings with vehicular access off the A363. The WHSAP required that development was to be concentrated to the north and east of the site and was to be guided by a masterplan.
- 1.1 The site is within the parish of North Bradley and was considered as part of the development of the North Bradley Neighbourhood Plan (which has now passed Examination and is awaiting Referendum).
- 1.2 This outline planning application has now been received for the development of the western end of site H2.2. The application includes:
 - a. up to 100 dwellings
 - b. a care home (Class C2 Use) of up to 64 beds (up to 3,750 sqm)
 - c. vehicular access from the A363.
- 1.3 North Bradley Parish Council has a strong and legitimate interest in this very large application, which is not only within its parish and likely to have significant impacts on it, but is also covered by the policies of the Neighbourhood Plan.
- 1.4 It is the view of the Parish Council that application 20/03641/OUT should not be entertained by Wiltshire Council until applications for the rest of the site have been submitted. To do so would seem to undermine the proper planning of the area, and in particular the established policy requirement that this large and important strategic site be developed in accordance with a masterplan. However, whether or not Wiltshire Council is minded to determine this application, the Parish Council would point out that its comments and policies of the North Bradley Neighbourhood Plan (NBNP) must be taken on board at this early stage. Government Guidance requires that the Plan be accorded significant weight.



2.0 Planning Policy and Related Comments

2.0 Wiltshire Housing Site Allocations Plan (WHSAP)

Development of the site is to be guided by Core Strategy (which requires that the village identity and setting of North Bradley be preserved) and the allocating policy H2.2 of the WHSAP. The supporting text of this latter policy states:

‘An objective of detailed design and layout will be to retain visual separation of the Town’s urban area from North Bradley village. To achieve this, development proposals would need to be focused within the north-east of the site, screened with new planting and provide improvements to walking and cycling routes through to the town.’

Other issues identified by the WHSAP policy are:

- Impact on Bats (design and layout to be informed by appropriate surveys and the Trowbridge Bat Mitigation Strategy (TBMS));
- Retention and enhancement of existing hedgerows and trees as part of wider landscaping
- Heritage Assets – especially the Baptist burial ground, its gateway and its setting;
- A Flood Risk Assessment.

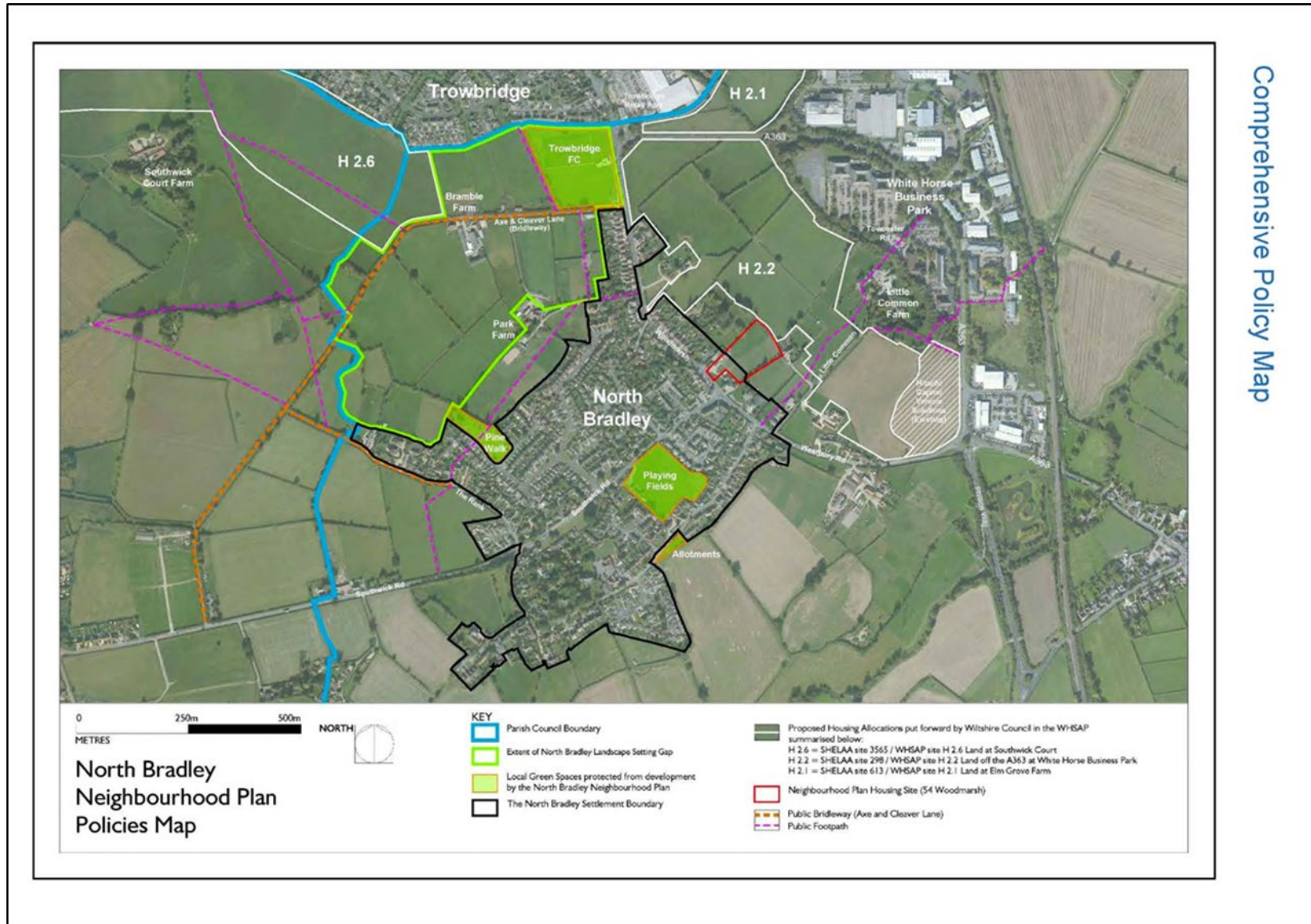
The policy adds: *‘Development will take place in accordance with a masterplan.... as part of the planning application process’.*

2.1 The North Bradley Neighbourhood Plan (NBNP)

The NBNP passed examination in December 2019, and is currently awaiting referendum (something delayed by the Pandemic). Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to an application. This was confirmed by a Written Ministerial Statement of the 10th of July 2014, which stated that once a neighbourhood plan has been submitted formally to the local authority for examination, it (and its policies) represent a material consideration. Recently, the Government issued revised guidance (PPG) relating to the impact of the Covid 19 crisis (reflected in PPG) which says that where the local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan should be given **significant** (emphasis ours) weight in decision-making. Such a notice has been issued and the Neighbourhood Plan therefore must be accorded the significant weight due.

- 2.2 It is extraordinary that the Design and Access Statement (DAS) supplied with the application fails to note the NBNP at all. It seems that the authors believe that it does not apply. This is a serious error, as PPG issued during the pandemic makes it clear that the NBNP has, in fact, **significant** weight as noted above. Meanwhile, the DAS also claims extensive community engagement. It is hard to see how this can have been the case when the presence of the strongly supported neighbourhood plan has not even been noted. Nor have discussions that took place between the PC and the developers.

2.3 The Comprehensive Policy Map of the NBNP is here:



2.4 The most significant policy relating to this application is Policy 1: 'Landscape Setting Gap'. This states:

'The area shown on the Comprehensive Policy Map is designated as the North Bradley Landscape Setting Gap. The purpose of the designation is to protect the landscape setting of North Bradley village (the open spaces between the village and Trowbridge). This area will be maintained and where possible also enhanced for biodiversity and recreation. No development will be permitted in the North Bradley Landscape Setting Gap unless it is in accordance with policies in the development plan. Where development is permitted, it must ensure that the functions, openness and landscape value of the Landscape Setting Gap is not harmed. Existing facilities for informal recreation and sustainable transport must be preserved or enhanced. Any development must result in a net gain for biodiversity.'

2.5 The Justification (para 8.18) for the policy says: *'It is not the aim of the plan to stop all development around the village, but to preserve the openness and greenness of the rural setting between North Bradley and Trowbridge. More detailed justification is found in the accompanying Landscape and Visual Setting Analysis Report'*. While paragraph 8.19 notes that part of the reasoning behind the policy is to protect biodiversity.

2.6 While the site of application 20/03641/OUT is not within the area covered by this policy, the policy is still relevant, as is its overall aim. This is because it was originally intended that the Landscape Gap should extend all the way around the village, including land to the north-east on which the applications to which this document is a response are located. However, it was during the development of the Neighbourhood Plan that site H 2.2 emerged as a strategic allocation in the WHSAP. A Neighbourhood Plan cannot constrain or control development of a strategic site. However, through representations made by Neighbourhood Plan Steering Group, Wiltshire Council was made aware of the need to protect the village from coalescing with Trowbridge and the need to preserve a landscape gap within site H 2.2 adjacent to North Bradley. Wiltshire council agreed with this conclusion.

2.7 While the NBNP creates a firm policy gap to the east of the village, it was left to the WHSAP, and Wiltshire Council's subsequent development management, to ensure that the setting of the village was preserved through insistence on a suitable landscape gap in the site master plan for H 2.2. Accordingly, Policy H 2.2 of the WHSAP requires development to be located in the northern and eastern parts of the site. The intention was to leave a wide area undeveloped and landscape between the proposed new housing and the existing village. This also facilitates a 'dark corridor' to allow for the passage of protected local bats from the nearby Special Area of Conservation (SAC), something that was supported by the County Ecologist.

North Bradley Landscape Gap and Housing Sites in the
Wiltshire Housing Site Allocations Plan (WHSAP)

Context	References
North Bradley Plan Objectives	1.6
Wiltshire Core Strategy	CP 1, 2, CP 29 (see especially paragraph 5.150), CP 50, 51.
NPPF	Paragraphs 8 (c), 28, 97 (e.g. Trowbridge FC ground), 127 (especially (c) and (d)), 170.

8.6 Paragraph 5.150 of the Wiltshire Core Strategy states:
'It is recognised that the villages surrounding Trowbridge, particularly Hilperton, Southwick North Bradley and West Ashton, have separate and distinct identities as villages. Open countryside should be maintained to protect the character and identity of these villages as separate communities. The local communities may wish to consider this matter in more detail in any future community-led neighbourhood planning.'

The purpose of this policy is to respond to the invitation in the WCS and establish a 'Landscape Gap' between Trowbridge and North Bradley while accommodating proposed strategic housing sites from the WHSAP.

8.7 The emerging Wiltshire Housing Site Allocations PLAN (WHSAP) proposes three sites that are in or partly in the Parish of North Bradley. These are as follows:

- Elm Grove Farm SHELAA 613, WHSAP Site H2.1
- Land Off 363 at White Horse Business Park SHELAA 298 (WHSAP Site H2.2) and,
- Southwick Court SHELAA 3565 (WHSAP site H2.6).

Maps and basic descriptions of these proposed sites are given below:

8.8 In terms of the first two of these, it became clear during the plan making process that there could be a conflict between the wishes of the community (in the creation of a landscape setting 'gap' between North Bradley and Trowbridge) and the ambitions of Wiltshire Council's WHSAP, most particularly site 298 H2.2, located to the north-east of the village. Following community engagement, the Parish Council, supported by two Wiltshire Councillors, presented an argument to Wiltshire Council's Cabinet that, if the site could not be avoided (which the community preferred) then it should be reduced in size and development concentrated to the east and north, leaving as wide a landscape gap between the site and Trowbridge as possible. This was accepted and it was agreed that the LPA and the Parish Council should meet to discuss details. Wiltshire Council agreed to reduce the site in size from a level of 225 (proposed) to 175 homes.

2.8 COMMENT:

NBNP Policy 1: It is disappointing that the applicants seem unaware this policy or the professional landscape study (*'Landscape and Visual Setting Analysis Report'*) which underlies it. This may explain why so little attention has been paid to the visual and spatial impacts of the proposals on North Bradley. Our comments are:

Negative:

- The landscape assessment of the application has been uninformed by the NBNP, despite this being a key planning consideration, and also has not taken account of the Landscape and Visual Setting Analysis Report. The analysis given seems inadequate.
- The proposed gap between proposed development on the site and North Bradley is far too small. Although it is claimed that this is a 'green corridor' it is in fact very narrow. This may reflect the number of houses being proposed, which in our view is excessive.
- The impact on the properties along Woodmarsh will be significant and negative:
 - the new homes are too close. The character of the current landscape around North Bradley village is of open fields, with hedges. Policy CP51 of the Wiltshire Core Strategy states that development should *'protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. Any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.'* The Parish Council does not believe the current proposal goes anywhere near satisfying this policy.
 - We would ask for the 2.5 storey homes proposed to be replaced with 2 storey. The applications Design and Access Statement (DAS) acknowledges that views of houses will be possible. This will completely change the rural outlook of these village properties.

Positive:

- We welcome the provision of public open space close to Woodmarsh

2.9 Other relevant policies are:

NBNP Policy 2 – Housing. This policy supports small scale housings schemes and retirement homes.

COMMENT:

Positive:

- We welcome the provision of a care home as this was a need identified in the neighbourhood plan and was supported by the community, but this should be counted towards the 175 overall total of housing units based on the number of beds to be provided, and limited to two storeys.

- 2.10 **NBNP Policy 5** concerns Bat Conservation and requires all Planning applications to comply with guidance on survey and mitigation contained in the Trowbridge Bat Mitigation Strategy. The policy states that: *‘Development is unlikely to be permitted in areas identified as being of high sensitivity for bats.’*

COMMENT:

Negative:

- The DAS claims that a dark corridor has been created, but in reality this is very narrow. Modern lighting is very powerful (houses proposed are likely to fit external floodlights, which typically have a range of over 30 metres) It should be remembered that the bats in question are rare and endangered and that they need dark spaces in order to fly to find food. We would suggest that this corridor needs to be widened.

- 2.11 **NBNP Policy 6.** This establishes that all new development proposals will be expected to contribute towards local infrastructure in accordance with National and Wiltshire Core Strategy policy. It establishes the following local priorities:

- Improvement of existing footpaths including the introduction of crossings, dropped kerbs and smoother surfaces suitable for electric buggies as well as pedestrians.
- The installation of cycle paths linking the parish with Trowbridge
- Improvement of local bus services
- Upgrading of recreational and other facilities at the Peace Memorial Hall and the Progressive Hall
- Provision of health care facilities within the parish
- The provision of a new non-denominational burial ground
- The enhancement of habitat for biodiversity
- Contributions towards school places.

The policy also notes that *‘Care must be taken when creating new infrastructure not to impact adversely on the bats of the nearby SAC – for example through the effects of the lighting of footpaths or cycleways.’*

The Parish Council would also welcome traffic calming in the village.

COMMENT:

The DAS does not respond to the need to provide infrastructure for North Bradley as required by this policy.

The Parish Council does not wish to introduce a crossing point.

- Upgraded footpaths (with smooth surfaces) from the site into North Bradley village including cycle path links if possible.
- Upgraded bus service or digital bus stop displays at existing bus shelters in Woodmarsh.
- Enhancement of the pond shown on the indicative site layout to the north of Woodmarsh, including enlargement, planting or other improvements for biodiversity. The views of the County ecologist and English Nature should be sought on what would be most beneficial. If possible, safe access should be provided to the pond for primary school pupils and residents for whom the pond could become an educational and recreational resource. The pond would also assist with local drainage.
- Provision of land for burial ground (see Policy 7 below).

- 2.12 Policy 7 – Parish Burial Ground This policy aims for the provision of a new non-denominational burial ground within the parish will be supported subject to compliance with the relevant legislation and acceptable impact on nearby properties.

Comment:

The DAS ignores this policy. We would welcome assistance in terms of providing land within the site or elsewhere nearby for this important local need.

3.0 General Planning Comments

3.0 COMMENT: ACCESS

We accept access via the A363 (Bradley Road), but would object to a vehicular access via Woodmarsh were this to be the Parish Council's policy is to avoid increases in traffic on this already overloaded road if at all possible. We would welcome the pedestrian access via the farm track from Woodmarsh.

4.0 Summary

4.0 The Parish Council feels that proper consideration of this application is only possible once applications have been submitted for the rest of the site and a masterplan created. This is a requirement of WHSAP policy H2.2.

4.1 Nevertheless, the Parish Council supports the provision of public open space and a care home.

4.2 Most seriously however, the application completely ignores the NBNP and Government Guidance (PPG) that the policy requirements of that plan should be taken into account and accorded significant weight when determining this application in particular:

A wider landscape gap should be provided between the development and Woodmarsh – in the interests preserving the rural setting and identity of the village, the amenity of residents and the preservation of an effective 'dark corridor' for foraging bats.

No houses should be higher than 2 storeys.

Local infrastructure should be provided as required by NBNP policy:

- Land for a burial ground
- Improvements to pavements
- Enhancement of the existing pond for biodiversity

5.0 Conclusion

5.0 The Parish Council is disappointed that this application appears to have ignored the policy requirements of the WHSAP and North Bradley Neighbourhood Plan. The Parish Council has a strong interest in development of this site and would like to be involved in the creation of the masterplan for it and discussions about any off-site works.