Wiltshire Council
LOCAL PLAN
Looking to the future

Empowering Rural Communities
Consultation Response Form

Section Two – Questions

Do you agree there should be a target of 40% affordable homes on all new schemes of more than five dwellings? What other approaches might there be?

Answer:

Yes, the Council supports the proposed target of 40% affordable homes on all new schemes of more than five dwellings in the rural area. In fact, it is felt that the level of affordable homes in rural area should be set at 50%, as a means of re-dressing the market driven imbalances in some communities, such as Winsley. The community would also support community led initiatives, possibly working alongside Registered Social Housing providers to develop sheltered accommodation, first homes or dwellings for key workers and possibly community buildings.

Do you agree with the approach set out in the suggested policy? If not, why not? How could it be improved?

Answer:

The proposed revisions to Core Policy 44 are enterprising and if they could be implemented would go a significant way toward establishing the housing stock needed for a sustainable community, while safeguarding environmental and landscape considerations. The Council agrees with the approach set out in the proposed revised Core Policy 44.

Do you think this approach is worth pursuing?
Please explain your answer

Answer:

It is understood that these questions relate specifically to the proposal to withdraw automatic permission for house extension on new small homes. Recently significant extensions of small homes have skewed the range of housing in Winsley toward large and high value homes, which are often outside the price range of first time buyers, young families and key workers. Both politically and legally the withdrawal of permitted development rights might be very hard to achieve and hence it is felt that it would not be worth pursuing this approach. Rather imposition of land use restrictions and design limitations, linked with a community's justified housing needs identified clearly in a neighbourhood plan, might make it easier to curtail the extension of new small dwellings.

What local evidence would be needed to justify applying restrictions like these?

Answer:

To comment on the housing figure that interests you, please state which area of the county the settlement falls within.

Answer:

West Wiltshire. The baseline indicative housing requirement 2016-2036 for Winsley is acknowledged. It is recognised that a neighbourhood plan will allow the community to evidence local housing needs and identify what opportunities exist for the development of housing and opportunities for employment and services. The presumption in the Local Plan against granting planning permission outside designated settlements is noted.

What do you think to the housing requirements for Local Service Centres and Large Villages? Should requirements be higher or lower? If so which ones and why?

Answer:

The suggested new Core Policy covering housing requirements for neighbourhood area designations in the rural areas is also welcome. Together with the suggested revised Core Policy 44, this new Core Policy reinforces the argument for a community drawing-up a neighbourhood plan. Nonetheless, we remain concerned about the validity period of neighbourhood plans and whether they could either be extended/underwritten through local policy or easier mechanisms for re-validating them could be devised. A relatively short validity period for neighbourhood plans seems to be wholly at odds with the long-term nature of the Local Plan.

If you have any further comments you wish to make, please detail them below.

As the Authority is aware, the settlement of Winsley (as shown in the Wiltshire Housing Site Allocation Plan - Appendix A: North and West HMA Part 1) is surrounded by West Wiltshire Greenbelt and bounded to the west and south by the Cotswolds Area of Outstanding Natural Beauty (AONB). While the whole of the community area is part of the Bath and Bradford on Avon Bats Special Area of Conservation. The community is very proud of both the recognition given to the beautiful countryside that surrounds the village and the importance of the countryside for endangered species fauna. Consequently, most of the community is fiercely protective of the environment, as well as the way of life that the village's position in both the Green Belt and AONB provides. Hence it is very likely that the community would support the recent ruling in the Court of Appeal where by Sir Keith Lindblom, Senior President of Tribunals, rejected a case brought by developer Monkhill to overturn a decision by the Planning Inspector that supported the original decision of Waverley Borough Council. In this case the court had to decide the meaning of the policy relating to development in an AONB and the relationship of that policy to the presumption in favour of sustainable development. The Court of Appeal rejected the bid to overturn the original decision and that of the planning Inspector, in favour of protecting the "intrinsic character, beauty and openness of the countryside beyond the Green Belt, the AONB and the area of great landscape value.[1]"
Winsley is categorised a Large Village for the purpose of the Local Plan Review. It is assumed that the definition of Large Village used in the Local Plan is the same as the one used as part of the Rural Facilities Report 2012. In that report 'when looking at settlement size and facilities and services a larger settlement is often an indication of a greater number of facilities and services'. Although Winsley Parish Council does not contest this assumption, Winsley has very few businesses and commercial services to sustain it in terms of either employment and/or provision of services. Hence access to businesses and commercial services and employment largely means a commute to either Bath and onwards to Bristol or east to Trowbridge. Although the wider housing need is recognised, business and employment opportunities within the community are likely to be the high priority in order for Winsley to become a sustainable community. Development of market housing in Winsley would simply lead to increased levels of commuting. Although modal shift to active transport and greater use of public transport might offset this change, it could not be achieved without significant increase in either public transport provision and major improvements to active transport routes (cycling and walking).

As the Planning Authority is aware Winsley started the process of developing a Neighbourhood Plan but ceased work on it in 2014, when it was decided by Wiltshire Council that there was no requirement for housing in the community. Despite the 'false start' to developing a Neighbourhood Plan, and in recognition of the wider housing need, the Community is likely to welcome opportunity to recommence work on a Neighbourhood Plan, and would complete a Rural Housing Needs Survey as part of that process. It is recognised that the Neighbourhood Plan development process would allow the community to identify areas for development within the settlement boundary, as well as define the direction for the community in terms of facilities and services. Despite this tacit support for having another go at a Neighbourhood Plan, there is concern over the period that a Neighbourhood Plan would be in force. Throughout the Local Plan review there are very helpful footnotes that clarify how proposed policy changes relate to the NPPF. It is interesting to note that despite the warning at para 69 of the Local Plan Review: Empowering Rural Communities, which states that 'Neighbourhood plan areas, however, do not benefit from the additional protection against speculative development if their neighbourhood plans are more than two years old' there is no proposal in the Local Plan review as to how the planning authority might extend/underwrite the authority/validity of neighbourhood plans. Despite some of the benefits of a Neighbourhood Plan, the fact potential developers might simply wait until a neighbourhood plan lapses causes some concern. In some quarters, there is suggestion that since the introduction of neighbourhood planning in 2011, it seems to have proved much more problematic in practice than in theory. In one case where a neighbour plan was challenged in the courts, a judge agreed that the provisions could aptly be described as a “statutory thicket”[1].