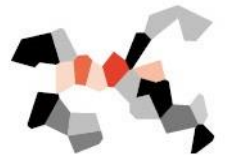


**Representations in respect of the
Swindon Borough Local Plan Review
Regulation 19 Consultation Paper
December 2019/January 2020**

On behalf of Mactaggart & Mickel Strategic Land



January 2020

C1994



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1.0 Introduction and Background to Mactaggart & Mickel Strategic Land

- 1.1 Mactaggart & Mickel are a family-owned company built on quality, trust and tradition. They have been delivering new homes and communities for over 90 years and building upon this tradition, now continue to deliver sustainable outcomes throughout the UK, co-ordinated by their in-house and consultant teams.
- 1.2 Mactaggart & Mickel Strategic Land (M&MSL) is the strategic promotional arm of the Group, responsible for the promotion of long-term land through the Development Plan system and bringing forward large scale development schemes through the planning application process. Locally, M&MSL have interests in strategic sites at:
- Hallow, Worcestershire
 - Kingston Bagpuize, Oxfordshire
 - Nailsea, North Somerset
 - Churchdown, Gloucestershire
 - Chard, Somerset
 - Keynsham, Bath and North East Somerset
 - Devizes, Wiltshire
 - Bowerhill, Melksham, Wiltshire
 - Comeytrove, Taunton
 - The Pry, Swindon.
- 1.3 M&MSL secured interests in some 214.74 hectares (530.6 acres) of land at The Pry, north west Swindon, by way of a promotional agreement in 2012 and have been responsible for strategic promotion of the site through the Development Planning process since that time, including engagement through the preparation of the Wiltshire Core Strategy and Swindon Borough Local Plan 2026.
- 1.4 M&MSL, through their consultant team, have been working collaboratively with other landowners and developers to inform the Local Plan Review process as well as working with Wiltshire Council, Swindon Borough Council and the Swindon and Wiltshire Local Enterprise Partnership (SWLEP). M&MSL have also worked with other external agencies such as Thames Water and Highways England.
- 1.5 The majority of the strategic development site lies within the administrative area of Wiltshire Council. However, parts lie within the Borough of Swindon as does one of the key strategic access points.

2.0 Mactaggart & Mickel’s Recent Engagement in the Development Plan Process

- 2.1 M&MSL have been in discussions with both Swindon Borough Council and Wiltshire Council over recent years concerning the development potential of their land holding at The Pry. Initial survey work has been carried out, notably in connection with developing an access strategy to facilitate early development of at least a part of the site and to set the overall context for a larger, more strategic development that may emerge from the Development Plan process.
- 2.2 The overarching concept of a western urban extension to Swindon has also been promoted and discussed with both Councils at officer level and introduced to the Swindon and Wiltshire Local Enterprise Partnership (SWLEP).
- 2.3 This work has built upon the previous representations and submissions made on behalf of M&MSL to the Wiltshire Local Plan Review consultation August 2019 and, previously, to both Councils, in December 2017 and 2019.
- 2.4 M&MSL are also aware of the engagement of other developers and stakeholder groups in the Local Plan Review Process. In particular, M&MSL have noted the concerns expressed by Swindon Chamber of Commerce in respect of the Borough Council’s Economic Strategy 2026 and the relationship this document has with the Local Plan Review process. As a result of representations submitted by Swindon Chamber of Commerce, the Swindon Development Delivery Panel, in October 2017, raised a formal Written Question to both Wiltshire Council and Swindon Borough Council Cabinets as follows:

“Swindon Development Delivery Panel (SDDP) has expressed its concern that SBC Economic Strategy has a timeline to 2026, Wiltshire and Swindon’s Local Plan programmes have timescales to 2036 whilst organisations such as Highways England, who are responsible of the planning and delivery of key infrastructure, have Investment Strategies to 2050.

Bearing in mind the urgent need for infrastructure to support the development needed to maintain prosperity associated with growth of Swindon, the SDDP would like to see a long term strategic vision to 2050 and alignment of economic and spatial planning timescales to this date. This has already been called for by Swindon Chamber of Commerce (SCC) in their representations to the draft Economic Strategy. What are Cabinets views on the appropriateness of this, bearing in mind the amount of employment and housing development that would need to be accommodated in the period to 2050 and the position of the administrative boundary between the two authorities?”

- 2.5 The written response by the two Cabinets to this Question were as follows:

Swindon Borough Council response:

“Thank you for your question. Long-term planning for housing, infrastructure investment, and the economy is essential. Our adopted Local Plan looked at options to 2026 and within a year of it being adopted we started work on our Local Plan Review. This new Plan, working in conjunction with Wiltshire Council, will extend our horizon to

2036. This will enable both local authorities to support managed housing and business growth. Over the coming months we will also look beyond this time frame and I am happy to work with a wide range of stakeholders in developing these ideas.

I can confirm that we are currently undertaking work with key stakeholders, which includes the Swindon Development Delivery Panel, on a plan that extends up to 2050; however, these negotiations are still in an early stage of development.”

Wiltshire Council response:

“The plan horizon for the Wiltshire Local Plan Review is 2036. This reflects government policy within the National Planning Policy Framework for Local Plans to relate to an appropriate timescale, “preferably a 15-year time horizon”. Predicting local household formation and population growth over a much longer timescale of more than 30 years would not be realistic. However, it is an important part of strategic planning to ensure that decisions are not made through any Local Plan that would compromise the ability to plan for the development needs of the County beyond that timescale.

At this stage, as it is unclear what future growth needs may be beyond 2036, our current focus must be to ensure that we have a clear strategy in place for the period to 2036. In doing this, we are committed to joint working with Swindon Borough Council through the preparation of the Joint Spatial Framework, which will inform the review of both authorities’ respective plans.

We recognise that longer term strategic planning and investment in infrastructure is important to ensure that we have sufficient headroom in capacity and are forward thinking enough to be able to respond to future development needs of the County in a timely way.”

2.6 As part of the dialogue with both Wiltshire Council and Swindon Borough Council, M&MSL have also made clear the view that in order to plan, fund and deliver essential infrastructure for continued economic growth in the Swindon area a longer timescale than 2036 is required. M&MSL therefore support the general thrust of the argument advanced by Swindon Chamber of Commerce for a common alignment of spatial and economic planning to a timescale of 2050 as being most appropriate, or even to 2060.

2.7 Whilst it is acknowledged that changes to National Planning Policy Framework (NPPF) in 2018 and 2019 have meant that Swindon Borough Council and Wiltshire Council have been obliged to adopt the standard methodology for assessing local housing needs and this has led to the two authorities each looking to identify future housing needs for their respective local authority areas, this has led to an abandonment of the joint working with an intention to producing a Joint Spatial Framework. It is understood from Wiltshire Council Cabinet papers of March 2019 that the two Local Plans will deal with their respective land use requirements and that a Statement of Common Ground will be prepared between the two Councils and subject to ongoing review. This will effectively replace the Joint Spatial Framework and, according to the March 2019 Cabinet report, may be reduced in scope compared to that previously proposed as it may focus only on employment land and infrastructure delivery. M&MSL consider this a regrettable step, as the urban area of Swindon has already been developed to extend onto land within the administrative boundary of Wiltshire Council and planning for Swindon, and in particular its future growth, should be conducted on a comprehensive and coordinated basis irrespective of

the administrative boundaries. Whilst a single plan for Swindon including its hinterland within Wiltshire would have been preferable, a Joint Spatial Planning Framework would have provided at least a mechanism for on-going joint working. It is already evident from the statement above, a joint Statement of Common Ground is likely to lead to a much less rigorous examination of the issues and joint working.

3.0 Swindon Housing Market and Joint Working with Wiltshire Council

- 3.1 M&MSL note that the current target for the Local Plan is 1,040 dwellings per annum for the period 2016-2036. It is also noted that the residual requirement will be for approximately 1,000 new homes. The intention is also to plan for an additional employment land requirement of about 56.7 hectares for the same period.
- 3.2 The original intention between Wiltshire Council and Swindon Borough Council to produce a Joint Spatial Framework for the Swindon Housing Market Area has now given way to the two authorities both producing Local Plans for their own respective administrative areas. Changes to NPPF mean that Swindon is now being expected to meet the housing needs arising only from within the Borough, as opposed to potentially utilising opportunities in the Wiltshire part of the Swindon HMA at villages such as Purton to provide housing to meet the needs of the Swindon housing market. Whilst this may be a requirement of NPPF, there is still no reason as to why parts of Wiltshire lying within the Swindon HMA cannot deliver housing to meet Swindon needs; this is a policy matter and therefore one of choice. *The Local Housing Needs Assessment 2019 (LHNA) concludes at paragraph 4.25 that it will be important to consider whether or not a housing number that is higher than this (20,450 for Swindon) minimum would be appropriate to use when plan-making. It also concludes at 4.26 "... that the LPAs will need to consider their response to the evidence which suggests that up to an additional 6,300 dwellings would have to be provided to enable sufficient workers to live in the combined area".*
- 3.3 The standard methodology for estimating housing need also does not preclude Local Planning Authorities achieving more than the minimum number to achieve the national target of 300,000 new homes a year. In fact it is widely recognised that for the Government to achieve its 300,000 homes target ambition, LPAs will almost certainly need to plan for more housing than the standard methodology suggests.
- 3.4 M&MSL has some concerns as to the overall housing estimates, particularly for the Swindon Housing Market Area, and believes that the residual calculation to be considerably higher than that put forward in the current consultation papers. Whilst most of the detailed evidence for this relates to calculation of housing need figures for Swindon, M&MSL would note that the same concerns may also be relevant as far as they relate to future housing numbers within the Wiltshire part of the Swindon Housing Market Area. Moreover, one of the major points of concern relates to the failure on the part of Swindon Borough Council to examine the performance of the current strategic allocated sites and critically review the likelihood of delivery from these sites moving forward to 2036. *Instead, the approach by Swindon Borough Council appears to be one of acceptance that they will deliver in accordance with an estimated trajectory, something which M&MSL has grave concerns with as they believe this to be both over-optimistic in terms of timing of delivery and quantum.*
- 3.5 The combination of these various factors would suggest that much closer cross-border working by the two authorities to evolve a strategy that takes advantage of the most suitable areas for development, irrespective of Local Authority administrative boundaries, would be preferred. The failure to achieve this raises questions as to whether or not the duty to cooperate under the provisions of the Localism Act have been discharged.

- 3.6 In effect, Wiltshire Council has sought comment on the Swindon Housing Market Area with complete disregard to the housing needs of Swindon; all that is being addressed is the residual requirement for the market towns and villages in the Wiltshire part of the Swindon HMA, leaving Swindon to “consume its own smoke”. Equally, the SBLP2036 disregards the opportunities available in Wiltshire, which leads to a knock-on disregard of the Swindon Borough elements that would benefit from a more coordinated approach.
- 3.7 One of the key findings identified for the Swindon HMA was that “...overall housing delivery at Swindon has not kept pace with that projected in the Local Plan 2026”. This was supplemented by further identified issue being “...ensure short term delivery of housing land while the larger, more complex urban extensions come forward”. M&MSL are well aware of the fact that the key allocations such as Kingsdown, New Eastern Villages and Wichelstowe have all experienced very significant delays and therefore are extremely concerned as to the contribution that these sites will make in the future, particularly in the short term. Whilst it is acknowledged that Swindon Borough Council, through their Swindon Local Plan Review 2036, are seeking to allocate a number of small non-strategic sites, these may help the short term delivery but cannot, even collectively, replace the larger strategic sites which will be responsible for the majority of housing delivery over the Plan period.
- 3.8 Consequently, M&MSL remain of the view that a Joint Strategy for meeting housing needs in Swindon is still desirable.
- 3.9 This particular point becomes even more significant when one considers the timescale of the Local Plan (along with the Wiltshire Local Plan Review) to 2036. In line with previous representations, M&MSL are of the view that this is an inadequate timescale to deal with the Swindon Housing Market Area, being fragmented as it is between Swindon Borough Council and Wiltshire Council, and therefore will not provide an appropriate framework for economic and spatial planning let alone infrastructure planning and delivery. In fact, it has resulted in two Council’s now producing two separate Plans concerning the Swindon Housing Market Area, both of which appear to ignore the fact that large areas of Swindon’s built up area already lie within the Wiltshire Council administrative area.
- 3.10 M&MSL would therefore urge both Council’s to revert to a Joint Planning Framework to address these issues and provide a comprehensive and coordinated approach to strategic planning to a longer timescale (2050 has been suggested) which can properly address the issues of planning for infrastructure, funding and delivery as well as providing a strategic framework for spatial planning. As mentioned in paragraph 2.2 above, the standard methodology does not deliver a mandatory target; it is rather a minimum figure. (See paragraphs 1.17-1.25 LHNA April 2019). The standard methodology does not prevent the two authorities producing a Joint Framework through their two Local Plan Reviews to achieve longer term vision and guidance.
- 3.11 In previous representations on the Local Plan Review and the Joint Planning Framework in December 2017 M&MSL set out their views to the effect that the historic evidence base, notably the significant evidence contained in the “Gold” and “Silver” Reports of 1966 and 1968 respectively which looked at the concept of large scale expansion of Swindon, pointed to future westward expansion of the town; “...within the limits of these (landscape and topographic) restrictions lies an area regarded as suitable for the purpose of the expansion. It is the western sector, which contains Lydiard Millicent and Purton”. Further evidence in published documents since then as part of the Development Plan process have further served to underline this, notably the outcome of the SW Regional Plan Examination in 2007. M&MSL therefore consider

that there is significant documentary evidence to support the accommodation of housing growth to meet Swindon housing needs to the north west and west of Swindon. In the context of addressing meeting local housing needs arising from the Wiltshire segment of the Swindon HMA, the area immediately adjoining Swindon is not currently specifically mentioned in the option paper and representations have been made to Wiltshire Council in this regard. However, land within Swindon Borough is required to facilitate the comprehensive planning of this, especially in terms of delivering access.

- 3.12 M&MSL have secured a promotional agreement on some 203 hectares (500 acres) of land north of the Cheltenham/Gloucester railway line generally referred to as The Pry. The land adjoins Mouldon Hill Country Park and the north western boundary of the former Northern Development Area of Swindon on Purton Road northwards to Tadpole Lane. As such, the site has a strong relationship with the current built up area of Swindon, including the developments at Moredon Bridge and Ridgeway Farm which are both situated within Wiltshire Council administrative area. The area is predominately flat with only marginal land to the River Ray liable to flooding. There are very few known constraints within the site in terms of heritage, vegetation and ecology and the land is of low agricultural land quality. Because of its location to the existing Swindon built up area it has potentially excellent access to local and district shopping centre facilities, education, medical services and recreational facilities. The site is also well placed to benefit from sustainable forms of transport being located in an area where there are numerous existing bus services and the site would also have the potential to benefit from improvements in rail services. The site's development could also deliver a package of improvements to the heritage transport items of canal and rail restoration as envisaged by Swindon Borough Council.
- 3.13 **As a potential strategic development area, the site also has the potential to deliver improvements to recreational facilities, including Mouldon Hill Country Park, a reinstatement of large sections of the former Berks and Wilts Canal and to develop the River Ray parkway leisure corridor.**
- 3.14 M&MSL believe that the site has potential to provide the basis of a future urban extension to the Swindon urban area and advocates Swindon Borough Council working in conjunction with Wiltshire Council to adopt a more unified approach to meeting identified housing need within the wider Swindon Housing Market Area by taking a more strategic view. The general area to the west of Swindon, which already supports major residential and employment development generally viewed as part of the Swindon urban area, has not been identified as a possible location for meeting the Wiltshire element of the Swindon HMA housing requirements despite the fact that it is a highly sustainable location for future development because of the range and quality of infrastructure and facilities that it adjoins.

4.0 Assessment of Housing and Employment Needs and the Local Plan Strategy

- 4.1 As previously stated, M&MSL believe that the Local Plan Review for Swindon should be prepared for a longer timescale than 2036 in order to identify the need for strategic infrastructure and provide the appropriate policy context and framework to deliver this. Similarly, as the urban area of Swindon Borough already extends across the administrative boundary with Wiltshire and the established housing market area extends well into Wiltshire the failure to prepare a Plan that addresses these issues/areas has had significant impact on the assessment of housing and employment needs and the strategy options available. The resulting draft Local Plan is, therefore, an inward looking document addressing only the identified needs of Swindon Borough, as opposed to Swindon built up area.
- 4.2 M&MSL have been consistent in their view at all stages of the Local Plan Review process that joint working between Wiltshire Council and Swindon Borough Council to address key issues of housing and employment need and an appropriate strategy to deliver these requirements was essential, particularly bearing in mind that a number of the strategic development proposals have suffered major delays in terms of delivery.

Assessing Local Need

- 4.3 Swindon Borough Council have used the Government standard methodology in arriving at the figure of 1,040 dwellings per annum for the period 2018-36. Because the Council can not demonstrate the required 5 year housing land supply (HLS) the 20% buffer is incorporated for a 5 year period. The Council calculate this to be a total requirement of 20,450 additional dwellings in total for the Plan period.
- 4.4 Planning Policy Guidance (PPG) paragraph 010 (reference ID: 2a-010-20190220) clearly sets out that the standard method for assessing housing need is a minimum starting point in determining the number of houses needed in an area.

“When might it be appropriate to plan for a higher housing need figure than the standard method indicates?”

The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.

This will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan). Circumstances where this may be appropriate include, but are not limited to situations where increases in housing need are likely to exceed past trends because of:

- *growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);*

- *strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or*
- *an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;*

There may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests.”

4.5 Whilst this is recognised in the Swindon Borough Council and Wiltshire Council Local Housing Needs Assessment of April 2019 – Report Findings, it is not reflected in the Local Plan as now presented. The Council’s housing provision, apart from the 20% buffer required by the fact that the Council cannot demonstrate a 5 year housing land supply, is therefore based on the minimum figure derived from the standard methodology.

4.6 Whilst the latest NPPF focusses on the need of individual Local Planning Authorities to assess housing need using the standard methodology of the minimum figure, in terms of Plan making PPG has retained the concept of Housing Market Area Assessments within the duty to cooperate context where joint working continues to be required (ID: 61-010-20180913). As stated previously, the Swindon Borough Local Plan 2036 addresses only the requirement for Swindon Borough, not the built up area of the town.

4.7 Interestingly, the LMA report conclusions state at paragraph 4.25 that:

4.25 *“The CLG Standard Method identified a minimum LHN of 20,800 dwellings for Swindon and 40,680 dwellings for Wiltshire over the 20-year period 2016-36. However, it will be important to consider whether or not a housing number that is higher than this minimum would be appropriate to use when plan-making.*

4.26 *Based on the analysis above, the employment growth projections identified by the 2017 EDNA would require a larger number of homes to be provided than the minimum LHN in order to ensure there will be sufficient workers to align with the forecast jobs growth without any change to the net commuting rates recorded by the 2011 Census. **The authorities will need to consider their response to the evidence which suggests that up to an additional 6,300 dwellings would have to be provided to enable sufficient workers to live in the combined area.**” (DPDS emphasis).*

This advice and recommendation has not been incorporated into the draft Local Plan. Indeed, the figure of 20,800 is replaced by a total requirement figure of 20,450 additional dwellings. It is the view of M&MSL that the correct figure should be in the region of 23,800 based on the conclusions of the LNA 2019.

Employment Need

4.8 Swindon has a long standing record of outstanding economic performance, although in recent years this has reduced, not least of all because of the lack of suitable sites available in the market place that meet the modern day requirements of business.

4.9 It is interesting to note that at paragraph 7.3.1 that the Local Plan notes that:

7.3.1 *“The Employment Land Review 2017 documents that between 2001 and 2011 censuses Swindon Borough moved from being a net importer to a net exporter of labour as employment growth did not keep up with the expansion of housing. This pattern is expected to have intensified in the period since 2011. This is an important spatial planning issue the plan review must seek to address. The evidence of Swindon's lack of availability of employment land of all types to meet demand supports a continued robust approach to the protection of employment land alongside efforts to deliver new employment locations.”*

4.10 Whilst the last sentence of the above is to be commended, the Local Plan Review itself does not deliver any significant new employment sites. Instead, the main thrust of the Local Plan Review is to protect (through policy DM14) core employment site locations. Again, whilst this is commendable, the Council appear to be heavily reliant upon the scheduled closure of the Honda Manufacturing plant and the use of this site for employment and others. Whilst protection of the Honda site is to be commended, there is, as yet, no absolute guarantee that this land can be relied upon to meet the employment needs of other companies either seeking expansion of current operations in the Swindon area or for inward investment moves. M&MSL consider this to be a significant failure of the Plan. M&MSL are of the view that it is the long term failure on the part of Swindon Borough Council to deliver new employment land that has contributed to the slow down in job creation in the Swindon area. Therefore in the interests of maintaining Swindon’s economic performance sustainably new employment sites need to be identified and the slow down of job creation should not be used as justification for reduced level of house building. There is a long and well documented history of labour and skill shortages by firms in the Swindon area which can only be addressed by trying to attract new economically active people into town.

Local Plan Strategy

4.11 As stated earlier in these representations, M&MSL believe that the Local Plan strategy fails to address the key housing and employment issues identified by the evidence base and therefore lacks a coherent long term vision and strategy to address them. Instead, it concentrates primarily on identifying a collection of relatively short term housing sites to boost supply, but fails to identify any new strategic locations for development for housing and employment.

4.12 This failure is exacerbated by the fact that the Local Plan addresses only Swindon Borough, and does not address adequately and in a strategic fashion the cross border issues identified earlier in these representations. At the time of the consultation, no Statement of Common Ground between Wiltshire Council and Swindon Borough Council has been available and Wiltshire Council have yet to publish their submission draft of their own Local Plan. No strategic overview is available for Swindon, notwithstanding that significant parts of the town are already built in Wiltshire Council’s administrative area.

4.13 The Local Plan Review still relies very heavily on delivery of the currently committed strategic sites at Wichelstowe, Badbury Park (Commonhead), Kingsdown and Tadpole Garden Village. M&MSL have considered carefully the delivery profiles achieved on sites such as Wichelstowe, Tadpole Garden Village and Badbury Park and also the circumstances relating to the New Eastern Villages (NEV) and Kingsdown. There are still significant land ownership and infrastructure issues with regards to these projects and M&MSL are of the view that the delivery

trajectory upon which the Local Plan housing forecast is based is over optimistic, especially in regard to NEV and Kingsdown.

- 4.14 M&MSL have considered the housing delivery trajectory that forms part of the Local Plan Review in the context of the “start to finish” report by Nathaniel Litchfield and Partners. By applying the principles contained in that document M&MSL are of the view that the housing delivery to be anticipated from the existing committed and allocated sites during the Plan period is in the region of 17,800, some 2,700 units less than forecast. This is a significant failure on the part of the Plan.
- 4.15 The allocation of a portfolio of relatively small sites to boost short term housing land supply in the absence of the required 5 year supply is commendable, but does not address the key issue of long term strategic growth at Swindon; this is sadly lacking, making the Plan strategy fundamentally unsound.
- 4.16 This problem is further exacerbated by the absence of any long term guidance as to where future strategic growth at Swindon might be directed. Without such vision and long term strategy, it is impossible to plan for the necessary infrastructure to maintain Swindon’s economic performance into the future and deliver the vision that the Borough Council have for the town as set out in section 3.1 and 3.2 of the Plan. As already stated, M&MSL are firmly of the view that the evidence base available over time to guide the formulation of such a vision and strategy leads overwhelming to the need for joint working with Wiltshire Council to identify and deliver the most sustainable areas suitable for strategic growth and to plan for the infrastructure required to deliver this. The available evidence in this regard points to a further western/north western expansion of the town, inevitably involving land within the administrative area of Wiltshire as well as Swindon.

5.0 The Development Management Policies

- 5.1 M&MSL generally welcomes the review of Development Management policies. However, many of the revised policies and particularly some of the **new policies relating to design matters are extremely detailed and highly prescriptive.** M&MSL would advocate a more site specific approach to design, to avoid stereotyping or standardise design criteria/standards across the Borough. **The new National Design Guide provides a suitable framework for this.**
- 5.2 As a general rule M&MSL support planning policies which are clear in their requirements and set out the appropriate criteria by which any subsequent planning application/proposal can be assessed. M&MSL also welcome detailed policy wording for major proposed development sites such as Wichelstowe, Kingsdown and New Eastern Villages, provided these do not become too detailed, over-elaborate or prescriptive.
- 5.3 M&MSL support the approach that national policy is not repeated in the Local Development Management policies as this is both unnecessary and repetitive.
- 5.4 M&MSL do not support detailed and prescriptive design policies (CM1 to DM4 applies). The thrust of these policies is already set out in national planning guidance and the application of local vernacular in design is set out in the Swindon Residential Design Guide (Supplementary Planning Guidance) and it is not necessary for it to be set out again in the Local Plan. By way of example, draft policy DM2 states “all buildings must comprise high quality, well-functioning, visually attractive architecture.” Policy DM4 states that development proposals will be supported which “achieve high standards of inclusive design”. **These policies add nothing to national planning guidance and, in part, become highly prescriptive. The purpose of Local Plan policy is to guide development in a positive and constructive fashion, not to provide an urban design text book.** The sub-provisions of the DM policies are highly subjective rather than providing measurable guidance as to the design outputs required.
- 5.5 M&MSL do not support the inclusion of policies which restate national standards. M&MSL support the view that the Council accepts that housebuilders are generally far better placed than Local Government to assess the types and sizes of houses that their prospective purchasers would want to buy and that it is therefore not proposed to seek to specify the dwelling mix that should be built on sites other than in relation to affordable housing.
- 5.6 M&MSL are disappointed that key elements of infrastructure are not positively planned for in the Development Management policies.
- 5.7 Specific comments on individual DM policies are set out below.

Policy SP1: Sustainable Planning Principles and Adapting to Climate Change

- 5.8 Whilst the principles of this policy are by and large supported by M&MSL, absence of a long term development strategy and the relatively short timescale of the draft Local Plan Review are likely to render this policy inadequate. In particular, the failure to identify the long term direction of future strategic growth at Swindon is a fundamental omission from the Plan, making the policy unsound.

Policy SP2: The Spatial Strategy

- 5.9 M&MSL believe that policy SP2 is fundamentally flawed for the same reasons as set out above in respect of SP1. In spite of the evidence base, insufficient land has been identified to meet the likely employment needs of the Borough even to 2036, and the minimum level of housing in accordance with the national standardised methodology has been provided in respect of housing. The evidence base itself suggests that the provisions meet the Swindon Borough element of the Swindon HMA should be higher. This has been dealt with earlier in these representations and is not repeated here.
- 5.10 SP2 relies entirely on an over-optimistic assessment of housing delivery on the already allocated sites at Wichelstowe and no new strategic housing sites or employment sites are provided. Consequently, M&MSL are of the view that policy SP2 fails to allocate sufficient land for housing and employment purposes, fails to provide adequate strategic guidance for long term strategic growth of the town and as a result does not give due recognition to the role and function of the town in its sub-regional context. Policy SP2, in this regard, is therefore unsound.

Policies SA1-SA5

- 5.11 These 5 policies set out detailed provisions for the already allocated key strategic sites. As stated above, over reliance upon housing delivery from these sites, particularly NEV and Kingsdown, will lead to further under delivery of housing to meet local needs. This has a fundamental impact on soundness of the Plan.

Policy LA1

- 5.12 M&MSL do not object to policy LA1 but would point out that implementation of this policy has already proven difficult and there may be further delays in delivering its employment and residential elements.

Policies LA2-LA31

- 5.13 No comment.

Policies DM1-DM5

- 5.14 These policies are unnecessary as adequate guidance is given at a national level through NPPF, PPG and the National Design Guide. Further local guidance is given in the Swindon Borough Design Guide.

Policy DM6: Affordable Housing

- 5.15 This policy is generally supported and the explicit reference to the need to take into account viability considerations is welcomed.

Policies DM7-DM13

- 5.16 No Comment.

Policy DM14: Core Employment Sites

- 5.17 Whilst this policy is supported by M&MSL, failure to identify and allocated key new employment sites is a major failure of the Plan.

Policy DM15: Employment Land

- 5.18 The use of redundant employment land for other purposes, including housing, is welcomed and the policy therefore generally supported. However, the failure to identify and allocate an appropriate quantum of new employment land represents a major failing on the part of the Plan.

Policies DM16-DM20

- 5.19 No comment.

Policy DM21: Transport and Development

- 5.20 Whilst M&MSL supports the principles of providing for sustainable means of transport associated with new development proposals, they believe the policy is flawed in its overall objective by the failure to identify appropriate new strategic housing and employment development areas. Failure in to do so means inadequate planning for future sustainable transport infrastructure making the Plan fundamentally unsound.

Policy DM22: Infrastructure Requirements Resulting from Development

- 5.21 This policy also relates to development adjacent to, but outside of, the Swindon Borough boundary. M&MSL support the principle that such development would meet the cost of new infrastructure made necessary by the development, but objects to the policy in that it fails to relate specifically to any area of strategic development for either housing or employment purposes. As related to policies SP1 and SP2, this failing makes the Plan fundamentally unsound.

Policy DM23: Primary and Early Years Education Contributions

- 5.22 M&MSL object to this policy. The purposes for which the policy seeks to raise contributions should be dealt with through the Community Infrastructure Levy (CIL). It is inappropriate for such specific figures to be included in a Local Plan policy, particularly when the need for such contribution has to be justified on a case by case basis and frequently cannot be justified at all. The policy is therefore unsound.

Policy DM24: Water Supply and Waste Water and Sewerage Infrastructure

- 5.23 M&MSL object to this policy in as much as the Local Plan fails to identify appropriate new strategic areas for development of housing and employment and therefore consequently fails to identify the need for long term strategic infrastructure to service them. This is a fundamental failing on the part of the Plan making it unsound.

Policies DM25-DM29

- 5.24 No comment.

Policy DM30: Protecting Open Space

- 5.25 M&MSL object to policy DM30 on the basis that the scope of the policy is too narrow. In some circumstances, replacement of existing public open space, even in its entirety, would be preferable to retention. The policy should be flexible enough to accommodate such measures, particularly where the loss of an open space asset may be an essential requirement for development infrastructure.

Policy DM31: Open Space in New Development (including Appendix 2)

- 5.26 M&MSL object to policy DM31 in as much as the policy seeks to place the responsibility for developers of new development to remedy deficiencies in open space provision throughout the Borough. Furthermore, the requirements of Appendix 2 (with which policy DM31 has to be read) are extremely onerous and prescriptive.
- 5.27 Policy DM31 also seeks to provide a mechanism for the securing of financial contributions for ongoing maintenance of open space facilities created which would be dealt with under the provisions for CIL.

Policy DM33: Landscape

- 5.28 Whilst M&MSL do not object to this policy, it notes that it adds very little to the national advice contained in NPPF and PPG. In this respect the policy is unnecessary.

Policy DM34: Historic Environment

- 5.29 This policy simply repeats national advice contained in NPPF and PPG and is therefore unnecessary. Furthermore, large sections of the text in section 7.10 extend into highly detailed policy matters.
- 5.30 This is a highly subjective area and such prescriptive detail, both in terms of policy and supporting text, in a Local Plan is unnecessary. Specific advice is available at national level, also supplemented by advice notes from organisations such as Historic England.

Policy DM35: Heritage Transport

- 5.31 M&MSL support this policy in principle as restoration of sections of historic canal and even railway can be secured through the positive use of the planning system.
- 5.32 However, in northwest Swindon significant improvements could be made both in terms of the canal and rail heritage infrastructure through positive planning on the part of Swindon Borough Council in conjunction with Wiltshire Council to address strategic allocation of land to meet the requirements for housing and employment. Because the Plan does not address these issues the objectives of the policy are likely to be seriously compromised.
- 5.33 Although policy DM35 is headed "Heritage Transport" it makes specific references, developed in the accompanying supporting text 7.10.32 to 7.10.34 to the Mouldon Hill area. This area of the Borough is significant not only for leisure and heritage transport but also for providing access to further development opportunities to the west, a matter that the Borough Council acknowledges, but does not reflect in the Local Plan Review. Such strategic development would have the ability to assist delivery of key infrastructure improvements such as delivery of the Thamesdown Drive extension to the town centre, hereby in turn affording traffic relief to areas

such as Cheney Manor and regeneration of that area. The short term nature of the Local Plan Review and its lack of vision and clear strategic guidance may lead to such initiatives being delayed or prejudiced.

- 5.34 This view is underpinned by the statement in paragraph 7.10.34 to the effect that the route of the railway from Mouldon Hill to the Borough boundary will be safeguarded in any future review of the Local Plan or other appropriate Development Plan Document once the route is confirmed and agreed. This statement simply dismisses strategic guidance to a future document, and in doing so does not even acknowledge the fact that long term access to adjacent land is also a major consideration in the future planning of this area. Because of the proximity of the administrative boundary there is a clear need for joint working to secure a clear vision for the future and strategic guidance to meet the tests of soundness required by national guidance. In its present form the Local Plan does not, in the view of M&MSL, meet these requirements.
- 5.35 This is particularly significant when, based on the latest public information available from the planning appeal at Moredon Bridge currently subject to Inquiry (Wiltshire Council Ref: 17/08188/OUT) evidence indicates that a 5 year housing land supply in Wiltshire may also not be deliverable.

Policies DM36-DM37

- 5.36 No comments.

Policy DM38: Development in the Countryside

- 5.37 Whilst M&MSL recognise that this policy is designed to control unacceptable development outside urban area boundaries, neither the policy wording nor the supporting text acknowledges that Swindon Borough does not currently have a deliverable 5 year housing land supply, and indeed may not be able to demonstrate one for some time in the future.

6.0 Conclusions

6.1 M&MSL are keen to support a review of both Wiltshire Local Plan and Swindon Local Plan along the following principles:

- Both reviews should adopt a common 2050 time horizon in order to plan strategically to establish an appropriate strategy for meeting development requirements throughout the Swindon HMA where the cross border issues are a severe political constraint on both co-ordinated economic and spatial planning;
- In the absence of a Joint Spatial Framework and reliance on a Statement of Common Ground, (yet to be published) the Swindon Housing Market Area should be addressed by a critical review of all strategic allocations (in Swindon Borough) and a new strategy put in place as may be appropriate to achieve housing delivery at the required level;
- The housing requirement emanating from use of the standard methodology for Swindon (and that part of Swindon HMA within Wiltshire administrative area) **should be viewed as a minimum and starting point**, not a statistical target, and the figure supplemented to reflect Swindon's important economic role within the Thames Valley and south west.
- Notwithstanding the provisions of NPPF and the requirements of the standard methodology of assessing local housing need, joint working should prevail to ensure that the land that is most suitable for meeting strategic needs is allocated for development, irrespective of administrative boundaries;
- The Local Plan(s) should plan positively for the identification for new infrastructure, its financing and delivery to facilitate new strategic development for both housing and employment;
- As well as planning for strategic growth at Swindon there is a matter of fact in the Swindon Housing Market Area a need to address both short term and long term land supply issues (at the present time Swindon is well below the 5 year figure and doubts as to whether Wiltshire can demonstrate 5 year housing land supply as well) and both the Wiltshire Local Plan Review and the Swindon Local Plan Review should address this issue in a coordinated fashion; there is no available evidence to the effect that this is now happening.
- M&MSL believe that the site at The Pry is well located to make a valuable contribution to the short term supply whilst at the same time fitting in to an overarching long term development strategy by locating new development requirements at sustainable settlements within the HMA, notably those that are particularly well located to the centre of that HMA, namely Swindon.

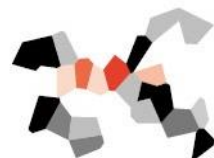
6.2 M&MSL believe that the draft Swindon Borough Local Plan Review 2036 is fundamentally unsound as it does not fully address the above principles:

- The timescale is too short to provide proper strategic guidance for a dynamic and economically successful town such as Swindon.
- The estimate of local housing need is a minimalist figure and should be considerably higher.

- Inadequate land is proposed to meet the anticipated needs of local business and inward investment.
- The lack of evidence of continued joint working with Wiltshire Council and the absence, at the time of consultation, of a Statement of Common Ground compounds the above failings.
- Because of the above points, many of the Development Management policies are inadequate whilst others simply repeat national guidance and are of little value to the local decision making process.

6.3 M&MSL therefore believe that the combined effect of the above deficiencies render the Plan fundamentally unsound on the basis that the requirements set out at paragraph 35 of the NPPF in that for the reasons contained in these representations the plan is:

- Not positively prepared.
- It is not justified as there is a lack of strategy/strategic guidance
- It is not justified in as much as even aspects of the Council's own evidence base is not being adhered to in terms of housing and employment land supply.
- The Plan will not provide an effective basis for cross-border working.
- In the areas identified, is not consistent with national policy in accordance with NPPF and PPG.



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