

CHAPTER 2 - STATEMENT OF COMMUNITY INVOLVEMENT

Chapter 2 - Consultation to Date - Paragraphs 2.01-2.06

Objections

0139/002	Swindon Borough Council	2.01 - 2.04
0387/007	David Wilson Estates	2.03
0387/509	David Wilson Estates	2.06

Issue

- a. Whether there has been an appropriate level of public consultation on the Local Plan

Reasoning and conclusions

- 2.1 **Issue a.** The evidence presented by objectors is insufficient to conclude that the Council failed to undertake appropriate consultations in the process of preparing the Local Plan or that it failed to comply with any statutory requirements in that respect. On the contrary, the consultation process appears to have been extensive. The fact that the Council's opinion may differ from that of the Wootton Bassett Local Plan Working Group on the allocation of land to the south of the town for comprehensive development does not demonstrate that the Council failed to undertake wide ranging consultation. For reasons I explain later in the report, such an allocation is not required.

Recommendation

- 2.2 **I recommend that no modification be made to the Local Plan in respect of the above objections.**

Chapter 2 - Future Consultation - Paragraph 2.07

Objections

0105/001	Mr B N Gibbs	2.07 (2.05)
0376/013	Slaughterford Action Group	2.07 (2.05)
0387/008	David Wilson Estates	2.07 (2.05)
0459/050	Persimmon Strategic Land Ltd	2.07 (2.05)

Issues

The main issues raised in the representations are:

- a. The Plan should clarify whether the Council undertook consultation on the Urban Capacity Study (UCS).
- b. Whether the paragraph should refer to consultation with developers, the CPRE and environmental groups.

Reasoning and conclusions

- 2.3 **Issue a.** The Council state that consultation was undertaken using the Public Area Committees of the Council. While objectors may have wished to have had the opportunity to comment during the preparatory stages of the UCS, as the evidence I

have received demonstrates, they have had the opportunity to make their views known on the findings of the Urban Capacity Study (UCS). Therefore, I do not consider that a modification to the Local Plan is required.

- 2.4 **Issue b.** The RDDLP version of the paragraph does not refer specifically to any of the groups who were consulted and it is not necessary to do so. Furthermore the paragraph has now been overtaken by events and consequently requires up-dating.

Recommendation

- 2.5 **I recommend that the Local Plan be modified by the deletion of the heading 'Future Consultation' prior to paragraph 2.7 and that the paragraph be modified so that it is in the past tense and that the period of the public local inquiry PLI be stated as June/September 2006. I make no other recommendations in respect of the above objections.**

Chapter 2 - Major Development - Paragraph 2.08

Objections

0105/002	Mr B N Gibbs	2.08 (2.06)
0114/002	Mrs C Spickernell	2.08 (2.06)
0156/038	CPRE (2)	2.08 (2.06)
0268/001	Corsham Town Council	2.08 (2.06)
0287/021	George Wimpey (UK) Ltd & The Trustees of the Methuen Intermediate Settlement	2.08 (2.06)
0376/010	Slaughterford Action Group	2.08 (2.06)
0376/014	Slaughterford Action Group	2.08 (2.06)
0482/001	Bloor Homes Ltd and Laing Homes Ltd Hunter's Moon Consortium)	2.08 (2.06)

Issue

- a. The pre-application discussion process.

Reasoning and conclusions

- 2.6 The objectors are concerned that amenity and environmental bodies are not included in pre-application discussions. In addition it is considered that it would be helpful if a list of statutory consultees were appended to the plan to help the public understand the development control process. I am not convinced that such a list would in practice be of significant benefit. The consultees on particular applications will vary depending on the nature and circumstance of the proposal. In addition, there may be practical difficulties in compiling a definitive list, as statutory consultees and their details may change over time. The wider issues raised regarding the consultation process on planning applications go beyond my remit. They could be better considered as part of the forthcoming Statement of Community Involvement DPD which the Council is preparing as part of its Local Development Framework (LDF). The aim of paragraph 2.8 is to encourage potential applicants to undertake pre-application discussions with statutory consultees and communities to clarify and where possible resolve the relevant issues. Such consultations are to be encouraged as a means of facilitating decisions on planning applications. However, which community groups or consultees should be consulted and the appropriate form of any pre-application discussions will vary depending on the particular circumstances of the proposal. Furthermore, the fact that consultation has taken place on a particular proposal is not in itself material to the determination of a planning

application. The required formal consultation at the planning application would have to be undertaken, thus providing any individual or group that had not been involved in the pre-application discussions with the opportunity to make their views known and for those views to be taken into account in the decision making process.

- 2.7 The paragraph does not suggest that pre-application consultation is to be left to Town Councils. Clearly it will be necessary also for the District Council to be involved in such discussions where appropriate. Nor does the paragraph state, as suggested by an objector, that failure to undertake pre-application consultation may prevent the registration of a planning application or its determination. However, as PIC 154 helps to clarify, such discussions may enable a proposal to be determined positively within Government targets. That is not to say that a developer may claim that planning permission should be granted because consultation has taken place. That fact is self evident and it is not necessary to include a statement in the paragraph to that effect.
- 2.8 While I agree that quality of decision is of primary importance, timescales are set by central government for the determination of planning applications. There is no reason to presume that the quality of decisions need be harmed if applications are considered and determined efficiently within those timescales.

Recommendation

- 2.9 **I recommend that paragraph 2.8 be modified in accordance with PIC 154. I recommend no other modification in respect of the above objections.**

Chapter 2 - Links to the Community Strategy - Paragraph 2.09

Objections

0169/009	Lacock Parish Council	2.09 (2.07)
0287/022	George Wimpey (UK) Ltd & The Trustees of the Methuen Intermediate Settlement	2.09 (2.07)
0311/008	Showell Protection Group	2.09 (2.07)

Issues

The main issues raised in the representations are:

- a. The relationship between the Local Plan and the Community Strategy.
- b. The detailed wording of the paragraph.

Reasoning and conclusions

- 2.10 **Issue a.** The paragraph is sufficient to explain the links between the Local Plan and the Community Strategy. The inclusion of information relating to the composition of the Local Strategic Partnership, which is available elsewhere, would introduce an unnecessary level of detail into the Local Plan. It is not for me to dictate to the Council the timescale for the production of its Community Strategy, as it does not form part of the Local Plan.
- 2.11 **Issue b.** I consider the alterations made to the RDDLP adequately addresses the objectors concerns, subject to the additional change set out in PIC 12 which is required to correct a minor typographical error.

Recommendation

- 2.12 **I recommend that paragraph 2.9 be modified to in accordance with PIC 12. I make no other recommendation in respect of the above objections.**

Chapter 2 - Service Levels Customers Can Expect of Planning Services - Paragraphs 2.10 - 2.12

Objections

0387/010	David Wilson Estates	2.10-2.11 (2.08 - 2.09)
0114/003	Mrs C Spickernell	2.11 (2.09)
0127/003	Dr R Pagett	2.11 (2.09)
0155/004	Mr & Mrs M R Lyons	2.11 (2.09)
0156/051	CPRE (2)	2.11 (2.09)
0231/043	Purton Parish Council	2.11 (2.09)
0391/001	Malmesbury Civic Trust	2.11 (2.09)
0387/011	David Wilson Estates	2.12 (2.10)
0391/002	Malmesbury Civic Trust	2.12 (2.10)
0459/051	Persimmon Strategic Land Ltd	2.12 (2.10)
0713/511	Wainhomes (North West) Holdings Ltd	2.12
0715/509	Persimmon Homes (Wessex) Ltd	2.12

Issues

The main issues raised in the representations are:

- a. Whether the section is necessary.
- b. The operation of planning services within the District.
- c. The timetable for the preparation of the Local Plan and the life of the plan.

Reasoning and conclusions

- 2.13 **Issue a.** This section of the Local Plan simply contains factual information on the functions of the Council's Planning Services and the future planning of the District under the new development plan system. It has no direct effect on the land use policies and proposals within the Local Plan. In that respect its inclusion within the plan is not really necessary. However, it may be of help to those readers of the plan who are unfamiliar with the operation of the planning system, and given the brevity of the section, I see no need to delete it.
- 2.14 **Issue b.** The objections relate to the operation of the Council's Planning Services, for example the manner in which enforcement action is taken against unauthorised development. While I have noted the comments made, it is not part of my remit to comment on such matters. Nor is it necessary to explain the enforcement process which is subject to legislative procedures. The issues raised do not require modifications to be made to the Local Plan.
- 2.15 **Issue c.** Issues relating to the timetable for the preparation of the Local Plan have clearly been overtaken by events. Section 2.10 will be of no relevance within the adopted Local Plan and should be deleted. I have considered the issue of whether the plan period should be extended to 2016 elsewhere in the report. The effective 'shelf-life' of the Local Plan is a matter for the programme contained within the Local

Development Scheme which the Council must prepare under the new development plan system. An appropriate summary of the new development plan system is set out in PIC 13 which amends paragraph 2.11 of the Local Plan.

Recommendation

- 2.16 **I recommend that paragraph 2.11 is modified in accordance with PIC 13 and that the Local Plan be modified by the deletion of paragraph 2.10 and the heading for that paragraph. I make no other recommendations in respect of the above objections.**
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