## THE SALISBURY NEIGHBOURHOOD DEVELOPMENT PLAN 2020 - 2038 (Submission Version 2023)

## <u>Note in respect of the Report of the Examination into the</u> <u>Salisbury Neighbourhood Development Plan 2020 - 2038</u>

Timothy Jones, Barrister, FCIArb, Independent Examiner



No 5 Chambers, Birmingham - London - Bristol

To Wiltshire Council And to Salisbury City Council

13<sup>th</sup> January 2025.

## Note in respect of the Report of the Examination into the Salisbury Neighbourhood Development Plan 2020 - 2038

1. In paragraph 115 and 116 of my report in respect of this examination I wrote:

"115. As far as the Engine Sheds site is concerned, in a late representation, which I decided to admit, Network Rail, the owner of the Engine Shed site, objected to this policy, stating that the site "*is likely to play a key role in the identification of land to support railway needs over the next 20 years and its loss to any other use should be resisted*" and that "*The Engine Shed site is one of several areas of land that are being considered to support the railway*". Faced with opposition from its owner, a site can only be made available for other uses by compulsory acquisition. In most cases the acquiring authority is the local planning authority, in this case Wiltshire. I have no reason to believe that Wiltshire will seek to acquire the Engine Sheds site compulsorily and no reason to believe that, were it to do so, it would be successful.

116.I have concluded that the draft NDP's proposals for Churchfields and the Engine Shed Site are aspirations that have not been shown to be deliverable. I recommend the removal of the whole of this section of the draft NDP. This would result in renumbering following paragraphs, figures and policies. I shall however use existing numbering in this report. I do not consider it necessary to recommend any modification to the broadly worded vision for Churchfields in Figure 3."

2. Network Rail is not the owner of the site, Wiltshire Council is. I have been asked whether this would have made a difference to my recommendation. This requires me to ask the question whether the draft NDP's proposals for the Engine Shed Site have been shown to be deliverable.

3. WLP in the form that it was at the time of the examination (and remains) states in the final indent to its paragraph 4.161:

Station Area - Salisbury train station is a major entry point into the city, located on the edge of the central area. Improvements to the public realm around the station are being implemented through the Future High Street Fund. The role of the maintenance depot is under review and may alter, including an option to incorporate land at the Engine Shed, in proximity to the Station Area along Churchfields Road. Alternatively, potential exists to transform the area north of the station if the current use is no longer required for operational use and land at the Engine Shed provides the opportunity to consider a wider mixed use development.

4. Based on this, it is clear that the Engine Shed site has not been shown to be deliverable. Indeed, there is no evidence of deliverability. That in itself is sufficient; but it may help to add that it would take clear grounds for me to conclude that an NDP that impeded railway development did not impede sustainable development. Such grounds do not exist in this case.

5. There is an error in my recommended modification 39 for which I apologise. It should not refer to figure 17, but to figure 24. Subject to that my recommended modification 39 remains unaltered.

Timothy Jones, Barrister, FCIArb, Independent Examiner, No 5 Chambers 13<sup>th</sup> January 2025.