

WARMINSTER NEIGHBOURHOOD PLAN DECISION STATEMENT (PROCEEDING TO REFERENDUM)

1. INTRODUCTION

- 1.1. Pursuant to the Wiltshire Council constitution and in particular Part 3B, the Associate Director for Economic Development and Planning within whose remit Spatial Planning falls is authorised to make decisions on Neighbourhood Plan proposals following the examination of a Neighbourhood Plan proposal in accordance with the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended) and all other relevant legislation.

2. BACKGROUND

- 2.1. The designated area for the Warminster Neighbourhood Plan comprises the whole of the parish of Warminster. On 5 March 2013 Wiltshire Council formally approved that the Warminster Neighbourhood Area (i.e. the land within the parish of Warminster) be designated in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.2. Warminster Town Council – the ‘qualifying body’, submitted the draft Warminster Neighbourhood Plan, along with supporting documents, to Wiltshire Council 16th November 2015 for consultation, independent examination and the remaining stages of the draft Plan’s preparation in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.3. Following submission of the draft Warminster Neighbourhood Plan, Wiltshire Council publicised the Plan and supporting documents and invited representations during the consultation period 8th December 2015 to 11th March 2016.
- 2.4. In April 2016, Wiltshire Council appointed an independent examiner, Mr Nigel McGurk BSC (Hons) MBA MCD MRTPI, to examine the Plan and consider whether it should proceed to referendum.
- 2.5. The examiner’s report was received in June 2016 and concluded that subject to making the modifications recommended in the report, that the draft Plan meets the Basic Conditions and should proceed to referendum. The examiner also recommended that the Warminster Neighbourhood Area (the parish area) is an appropriate area within which to hold a referendum.
- 2.6. In accordance with legislation, Wiltshire Council must consider each of the recommendations made in the examiner’s report, decide what action to take in response to each recommendation and what modifications should be made to the

draft Plan in order to be satisfied that it meets the Basic Conditions and is compatible with Convention Rights. If the authority is satisfied then a referendum must be held. Consideration also needs to be given as to whether to extend the area to which the referendum is to take place.

3. DECISION AND REASONS

- 3.1. Having considered the examiner's recommendations and reasons for them, the Council concurs with the examiner's view and have decided to make modifications to the draft Warminster Neighbourhood Plan to ensure that it meets legal requirements including the Basic Conditions as set out in legislation. Appendix 1 sets out these modifications, together with the reasons for them.
- 3.2. The Council is satisfied that the Neighbourhood Plan, as modified, complies with the legal requirements and can proceed to referendum.
- 3.3. The Council also agrees with the examiner that the referendum area should reflect the extent of the parish of Warminster.
- 3.4. I declare that I have no private interest in respect of this matter that would prevent me from making this decision.

Signed:



Alistair Cunningham
Associate Director, Economic Development & Planning
Wiltshire Council

Dated: 6 September 2016

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Guidance for using this document

The following table sets out the changes that are required in order to address the recommendations set out in the Examiner's report together with the explanation / reason for change.

Throughout the table, specific changes that are required are shown as follows:

- text in ***italics, bold and underlined*** identifies new text to be added to the Plan.
- text that is shown as ~~striketrough~~ identifies text to be deleted from the Plan.

The relevant paragraph, policy and page numbering relates to the draft Warminster Neighbourhood Plan (hereafter referred to as the 'WNP'), as submitted to Wiltshire Council.

The final WNP, to be published for the purposes of the referendum, will need to renumber the policies and paragraphs as appropriate following the insertion of changes.

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5	Front Cover	Replace 'November 2015' with ' <u>2015-2026</u> '	A neighbourhood plan must specify the period during which it is to have effect. Change made for clarity.
11	Insert after contents page (after page 1)	Insert a full page plan showing a clearly legible boundary of the Neighbourhood Area in the context of its surroundings. Title map 'Warminster Neighbourhood Area'.	The map on the front cover of the Neighbourhood Plan showing the Neighbourhood area is very small and largely illegible and it does not show the Neighbourhood Area in the context of its surroundings.
14	Page 3, para 1.5	Delete reference to 'draft in para 1.5 to read '1.5 This draft Neighbourhood Plan.....'	If the referendum is made, the reference would be out of date.
6	Page 6, para 2.1 The Localism Act	Delete 'The act also presumes that new development will be sustainable' and replace with ' <u>The Act refers directly to the presumption in favour of sustainable development</u>	For clarity to ensure conformity with the basic conditions.
6	Page 7, para 2.3.2	Delete para 'In addition to Wiltshire Council's Core Strategy proposals, the Council is required to produce a register of other potential development sites known as the Strategic Land Availability Assessment (SHLAA). A site's inclusion in the SHLAA does not imply that any subsequent planning application would be looked upon favourably. Judgements concerning whether sites should be allocated in Development Plans will be made through the statutory planning process. This may include a Strategic Environmental Assessment and Sustainability Appraisal'.	The SHLAA does not form part of the Local Development Framework and its inclusion in this section is confusing, undermining the clarity of the Neighbourhood Plan.
7	Page 7, heading at para 2.4	Amend title to read 'Local Policy – Warminster's Town Plan'	The title is confusing, as the Warminster Town Plan does not provide adopted planning policy for the area.
14	Page 8, para 2.5.3	Delete para 2.5.3 'Following a period of revision to reflect comments received during consultation carried out in spring 2015, the plan is ready to proceed to the approval process. Once adopted, it will have significant weight in determination of future planning applications'.	The paragraph will be out of date once the plan is 'made'.
14	Page 8,	Delete final box entitled 'Next Steps to Approve the plan' and arrow pointing to it.	The information within the box

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	diagram		is largely out of date and incorrectly refers to independent examination testing ‘soundness’.
15	Page 16, para 4.1.1	Amend para 4.1.1 to read ‘The Wiltshire Core Strategy makes provision for <u>about</u> 1920 new dwellings in Warminster over the period 2006-2026. Approximately 504 of these houses have already been erected (as at 2014) leaving the balance still to be built. Nine hundred of these new houses will form a development on the west side of Warminster known as the West Urban Extension. When other developable commitments are taken into account, there is an indicative shortfall of up to 217 units. <u>Some of these dwellings have already been built, or have planning permission to be built. In addition, the Core Strategy identifies a strategic site on the west side of Warminster, the West Urban Extension, for the delivery of 900 dwellings during the plan period. The Table at the end of this page provides a summary of the housing requirements for Warminster in 2014. This is for background information purposes only.</u>	Amendment made for accuracy to refer to wording used in the Wiltshire Core Strategy. In addition much of the paragraph has been overtaken by events and should be updated for clarity.
15	Page 16, para 4.1.3	Amend para 4.1.3 ‘There are two other significant initiatives that may impact upon future growth in Warminster’ Amend / remove bullet points, with first bullet point to become para 4.1.3 ‘4.1.3 Wiltshire Council has undertaken’.....’. Second bullet point to be incorporated into para 4.1.3 and amended to read ‘Wiltshire Council is preparing a <u>The SHLAA informs the</u> Housing Site Development Plan Document (DPD) which will review the settlement boundaries to ensure that they are up to date and reflect the emergent plans and other needs of the community’.	The paragraph is currently confusing as the definition of the SHLAA is not correct it, simply forms part of the evidence base. The paragraph therefore needs amending for clarity.
15 to 16	Page 17	Add a new paragraph under the title <u>‘The box below sets out some of the community’s general aspirations for new housing in Warminster. For clarity’ its contents do not comprise Policy Requirements’.</u> Line 3 amend as follows: ‘...in the town, all of which will need <u>to which the Town Council would like to see</u> expand to match <u>the</u> growth of the community’ Line 9 amend as follows: ‘...of traffic. Further development should be spread around the	The principles on page 17 reflect aspirations in relation to housing however they do not comprise policies. Many of the principles go beyond that of background information and / or conflicts with the basic conditions.

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		<p>town to maintain this equilibrium <u>It may help to maintain this equilibrium if future development was, to some extent, spread around the town’.</u></p> <p>Line 12 amend as follows: ‘...and enjoy. It <u>This</u> requires.....’</p> <p>Line 13 amend as follows ‘New developments should be <u>are encouraged to</u> follow the’</p> <p>Line 15 amend as follows: ‘Future developments should be <u>are encouraged to</u> complement.....’</p> <p>Line 17 amend as follows ‘The Government has therefore set out national standards for <u>has provided some indicative standards for</u> the design and construction of new housing in its Code for Sustainable Homes (CSH) (see Appendix A.3.) <u>The Town Council encourages new homes and mixed use developments to take these standards into account</u> Warminster is committed to supporting and encouraging new homes and mixed use developments that match or exceed this Code. The Wiltshire core Strategy requires new homes (excluding extensions and conversions) to achieve at least Level 4 in full’.</p>	
16	Page 18, para 4.3.1	Delete sentence of para 4.3.1 ‘any resultant changes to the existing settlement boundary will require formal consultation before their adoption, which is due in December 2015.’	Information is already out of date.
16	Page 18 and page 19 para 4.3.2 and 4.3.3	<p>Delete para 4.3.2 and 4.3.3.</p> <p>Wiltshire Council’s review of settlement boundaries has prompted the Town Council to look closely at its present and proposed boundaries. Many of the suggested amendments / proposals are supported since they reflect a close understanding of Warminster, including its topography, development, leisure assets and heritage. Key elements are a strong desire to protect as number of areas from development including:</p> <ul style="list-style-type: none"> • Smallbrook meadows and the Town Park • Yeates Field • St George’s playing fields • The football stadium • Warminster common and the Tynings allotments 	To provide clarity and avoid confusion.

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		<ul style="list-style-type: none"> • Folly Lane Rehobath • The Wiltshire Wildlife site at Goldharbour meadows • Land adjacent to Grovelands that has a high risk fo flooding and ecological value • A buffer zone between the land identified by the Core Strategy and the A36 by pass. <p>4.3.3 The local concerns that exist relate primarily to expansion of the present settlement boundary to accommodate planned and future development, including the size of the West Urban Extension. This draft Plan notes the related issues but cannot pre-empt the formal statutory process that Wiltshire Council is required to follow. It is pertinent to note, however, that the West Urban Extension combined with windfall and brownfield sites could meet strategic housing needs during the period of this Plan. Significant changes to the settlement boundary in other areas are not therefore anticipated.’</p>	
16	Page 19 para 4.4.3	Delete last sentence of paragraph: ‘The number of dwellings should also be limited to that prescribed by the Core Strategy’.	Sentence reads as though it is a policy when it is not and should be deleted.
17	Page 19, policy L1	<p>Delete Policy L1.</p> <p>‘Policy L1 Protection of Green Infrastructure</p> <ol style="list-style-type: none"> 1. The Settlement boundary shall protect key leisure and environment areas from development 2. Areas of land that have a high risk of flooding shall not be developed <p>Justification</p> <p>Environmental protection</p> <p>Quality of life</p> <p>Health and well-being</p> <p>Protection of existing leisure facilities</p> <p>Flood prevention’</p>	<ul style="list-style-type: none"> • Interpretation of the settlement boundary and what it can protect is incorrect. • Key areas referred to in the policy are not defined. • With respect to flooding the policy does not have regard to national policy. • Policy does not meet basic conditions. • Core Strategy already includes a policy on flood risk that takes account of national policy and the sequential test.

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18	Page 19, policy L2.	Delete Policy L2. Policy L2 – Core Strategy Allocation The West Urban Extension shall not exceed 900 homes. Justification: Aligns with the Wiltshire Core Strategy	Policy fails to provide for flexibility and runs the risk of preventing sustainable development from coming forward and therefore does not meet the basic conditions.
18	Page 19, para 4.4.3	Amend second sentence of paragraph to read: 'Residents are passionate however that the loss of a significant greenfield site to accommodate the West Urban Extension should be offset by quality development that is sensitive to the local environment <u>and that the number of dwellings should also be limited to that prescribed by the Core Strategy</u> '.	The paragraph in the plan itself simply refers to the views of resident, it is not a policy and the principle of development on the West Warminster Urban extension is already established.
19	Page 20, Policy L3	Amend policy L3 to read 'Policy L3 – WUE Design The design and layout of the West Urban Extension and other new developments are <u>encouraged</u> to reflect the principles outlined in the Building for Life 12 industry standard'.	BFL is guidance and a useful tool and not a compulsory requirement and the policy should be amended to reflect this fact. The policy refers to all design not just design of the WWUE and therefore reference to the WWUE should be removed.
19	Page 20, para 4.4.5	Amend last paragraph ' <u>This Neighbourhood Plan encourages new housing to reflect the</u> New housing should reflect therefore the Building for Life 12 industry standard, which is endorsed by government for well-designed homes and neighbourhoods'.	BFL is guidance and a useful tool and not a compulsory requirement and the policy / supporting text should be amended to reflect this fact.
20	Page 20 to 21,	Delete para 4.4.6 to 4.4.9 and policy L4.	The requirements set out in

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	para 4.4.6 to 4.4.9 and policy L4	<p>Setting</p> <p>4.4.6 Warminster is nestled in an area of considerable natural beauty and is largely hidden from the A36 by-pass. This characteristic is set to change with the advent of the West Urban Extension which will result in development close to the A36. The new housing will therefore create an initial impression of the town for passing motorists. The layout of the development therefore requires careful consideration, along with the implementation of suitable landscaping, to minimise the visual impact. Sign lines to the surrounding features and AONB should be preserved.</p> <p>Integration</p> <p>4.4.7 On the periphery of the town and close to the by bypass, this sizeable development needs to be closely integrated with the rest of the town so that new residents feel pa part of the wider community. The size of the development also suggests a need for its own focal point if it is to avoid becoming an urban sprawl.</p> <p>4.4.8 Notwithstanding the above, residents need to be attracted into the centre of town in satisfaction of the majority of their day-to-day needs rather than accessing other centres. It requires amongst other measures the inclusion of good road, pedestrian, cycling and public transport links. The size of the development justifies, however, the inclusion of a limited number of shops, services and other amenities to cater for immediate needs.</p> <p>4.4.9 Meanwhile the increase in population will place added pressure on existing community and leisure facilities that are already operating close to capacity.</p> <p>Policy L4 – WWUE Community</p> <p>The West Urban Extension shall include:</p> <ul style="list-style-type: none"> • A substantial green buffer zone between the WUE and A36 by-pass • A limited number of shops and services to meet immediate needs, including some 	<p>policy L4 are not precise and fails to provide the decision maker with a clear indication of how to respond to a development proposal, having regard to para 154 of the NPPF. No substantive evidence is provided to demonstrate that the provision of ‘a substantial green buffer zone’ and a ‘centralised sports field’ comprise viable sustainable development.</p> <p>Policy L4 lacks clarity and does not meet the basic conditions.</p>

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		<p>medical facilities</p> <ul style="list-style-type: none"> • A primary school • Community facilities to include a hall / meeting place • Appropriate green spaces and leisure facilities • Centralised sports fields with changing facilities and car parking <p><u>Justification</u> Sense of community Infrastructure integration Existing primary schools in Warminster operating at capacity Expansion of existing community facilities Fulfils a shortage of sporting facilities</p>	
21	Page 21 para 4.4.10 and policy L5	<p>Delete para 4.4.10 and policy L5.</p> <p>Housing and employment land 4.4.10 The West Urban extension will be accessed from both Bath Road and Victoria Rad. The resultant volume of residential traffic does not sit comfortably with the allocation of 6 ha of employment land within the same development area unless clear separation can be achieved. In particular, employment land should not be accessed through residential areas. This greenfield site represents a ‘blank canvas’ in terms of layout. IT therefore negates any requirements for compromise in such regards.</p> <p>Policy L5 – Separate housing and employment</p> <p>The 6ha of employment land contained within the West Urban Exentison shall have clear separation from ,and not have road access through, residential areas.</p> <p><u>Justification</u> Separate housing and employment land Good urban design Sympathetic integration of differing land uses</p>	No evidence has been provided to demonstrate that there would be any residual cumulative impacts arising from the approach required by Policy L5 as required by para 32 of the NPPF. The policy does not meet the basic conditions.

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		Enhancements of local environment Sense of well-being for nearby homes	
22	Page 24 para 5.1.1	Para 5.1.1 last sentence amend to: Appendix A.6 shows the location of present and <u>planned / future</u> preferred commercial employment areas around the neighbourhood area	Para 5.1.1 does not quite reflect the content of that Appendix and therefore clarification is required.
22	Page 25	Add paragraph under heading 5.2 to read <u>'The box below sets out some of the communities general aspiration for employment in Warminster. For clarity, its contents do not comprise Policy requirements'</u> . Line 14 of box amend as follows: ' Employment sites should be separated from residential areas where practicable to avoid unnecessary conflict of interests <u>The separation of employment sites from residential areas, where practicable, would avoid unnecessary conflicts of interests'</u>	To confirm that the information does not comprise policy.
23	Page 27 title 5.4 and para 5.4.1	Amend title 5.4 and delete para 5.4.1. 5.4 Employment <u>Policy</u> Policies New business sites within the neighbourhood that area are liable to attract HGV and commercial traffic are best suited to the periphery of the town where they have ready access to the bypass. This includes businesses that fall within the B2 (General Industrial) and B8 (Storage and Distribution) use classes. B1 businesses, which include offices and light industry appropriate to a residential area, may be located throughout the neighbourhood area as appropriate. There is a need for all new sites to ensure that plans are made for the adoption of supporting infrastructure.	The approach is not in general conformity with CP34 of the Wiltshire Core Strategy.
23	Page 27, policy W1	Delete policy W1. Policy W1 – New Employment Sites 1. New B2 and B8 employment sites shall be located on the periphery of the town where they have strong access links to the bypass 2. Roads, pavements and common infrastructure of new employment sites shall ideally	Policy W1 is not precise and does not provide clarity and creates the potential for conflict with policies that seek to protect local character and residential amenity. The policy is not in

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		<p>be adopted by Wiltshire Council prior to occupation where feasible</p> <p>Justification Ease of access Reduces volume of employment traffic passing through the town centre Town weight limit and suitability of roads in the town centre for heavy goods vehicles Supports CP34 of Wiltshire Core Strategy</p>	<p>general conformity with Core Strategy Core Policy 34. The policy therefore fails to meet the basic conditions. The second part of the policy goes beyond the remit of a Neighbourhood Plan by placing a requirement on the local planning authority.</p>
23	Para 5.4.3, page 27	<p>Amend last sentence of para 5.4.3 as follows: <i><u>This Neighbourhood Plan recognises that a</u></i> change in use of such sites shall be supported where it would <i><u>might</u></i> enable existing businesses to relocate to appropriate sites within the Neighbourhood Area</p>	<p>Clarification.</p>
23	Policy W2, page 27	<p>Amend part 1 of the policy and delete part 2:</p> <p>Policy W2 – Existing Employment Sites</p> <ol style="list-style-type: none"> 1. <i><u>Existing employment sites should be retained and their enhancement will be supported. On existing sites, new ‘start-up’ businesses and the expansion of existing businesses will be supported.</u></i> Retain and enhance existing employment sites, particularly where they enable ‘start-up’ activity or the expansion of new businesses. 2. Support changes of use of inner town employment sites to residential where existing occupiers propose suitable alternative employment locations within the neighbourhood area. <p>Justification Encourage new/start up businesses Increased employment opportunities Access constraints to sites that make them better suited to housing Encourage spread of housing development across the town Support CP35 of Wiltshire Core Strategy.</p>	<p>The first part of the policy is not a land use policy but a statement; however it is clear what the policy is aiming to do and therefore part one is reworded. Part two is an onerous requirement that fails to have regard to the fact that in many circumstances permitted development rights allow for the change of use from employment to residential without the need for planning permission and should therefore be deleted.</p>
24	Para 6.1, page 30	<p>Add text above box:</p>	<p>For clarity and to provide a consistent approach.</p>

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		<u>The box below sets out some of the community's general aspirations for life in Warminster. For clarity, its contents do not comprise Policy requirements'</u>	
24	Policy E1, page 31	<p>Delete Policy E1.</p> <p>Policy E1 — CIL / SECTION 106 MONIES</p> <p>CIL / Section 106 monies shall contribute to the expansion / modernisation fo existing sports, club and community facilities and also the creation of new amenities.</p> <p><u>Justification</u> Health and well-being Needs of a growing community Sports / leisure provision</p> <p>Add following para: '<u>Community Action: The Town Council will seek to ensure that CIL / Section 106 monies contribute to the expansion / modernisation of existing sports, club and community facilities and also the creation of new amenities'</u></p>	There is no evidence to demonstrate that the requirement within the policy meets the tests of NPPF para 204 and Reg 122 and 123 of the CIL Regulations 2010. The policy therefore does not meet the basic conditions.
25	Policy E2, page 32	<p>Amend policy as follows:</p> <p>Policy E2 – Existing Leisure Facilities</p> <p>New Development shall not be supported where existing playing fields, play spaces and other recreational land, whether publicly or privately owned are lost unless:</p> <ul style="list-style-type: none"> • The facilities can best be retained and enhanced through the development of a small part of the site • Alternative provision of equivalent community benefit is made in the immediate vicinity • <u>The loss resulting from the proposed development would be replaced by equivalent or better provision in a suitable location within the Neighbourhood</u> 	As worded the policy is not clearly defined and there is no evidence to demonstrate that there is scope to replace leisure facilities in their immediate vicinity, or that there is scope to retain and enhance leisure facilities through the development of a small part of the site.

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		<p><u>Area; or</u></p> <ul style="list-style-type: none"> <u>the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss</u> 	
26	Policy E3, page 32	<p>Delete 2nd and 3rd bullets to policy and reword as follows:</p> <ul style="list-style-type: none"> Sports facilities with all weather and floodlight facilities as appropriate Allotments where appropriate. <p>Add the following to the bullet points in the supporting text to para 6.2.4</p> <ul style="list-style-type: none"> <u>Sports facilities with all weather and floodlight facilities</u> <u>Allotments</u> 	The policy is not precise as written as it does not provide an indication of under what circumstances things might be appropriate.
26	Policy E4, page 32	<p>Amend the beginning of policy E4 as follows:</p> <p><u>The following development will be supported</u> Support</p>	As worded the policy is not precise and fails to provide a decision maker with a clear indication of how to react to a development proposal and does not meet the basic conditions.
27	Policy E5, page 33	<p>Delete policy E5.</p> <p>Policy E5 – West urban Extensions Sports Facilities</p> <p>Combine the individual sports pitches for the West Urban Extension into a single enhanced sports amenity. The facilities requires good access, adequate parking and changing facilities.</p> <p>Justification Health and well-being Youth-related facilities Sports – leisure provision</p>	National policy requires that development is not subject to such a scale of obligations and policy burdens that their viability is threatened. There is no substantive evidence to demonstrate that the approach in the policy is viable and the policy therefore does not meet the basic conditions.
27	Policy E6, page 34	Amend policy as follows:	For clarity.

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		Support the integration of the old youth centre building with the Athenaeum Centre to create an enlarged amenity for arts and cultural activities suitable for all age groups <i>will be supported.</i>	
28	Page 35, policy E7 and E8	<p>Delete policy E7 and E8.</p> <p>POLICY E7 – MUSEUM FACILITIES</p> <p>Recognise the need for and support the provision of enhanced, dedicated museum facilities</p> <p><u>Justification</u> Improves cultural offering Improves appeal for visitors Showcases the town's heritage and surrounding area</p> <p>POLICY E8 – LI-BRARY FACILITIES</p> <p>Recognise the need for and support the provision of enhanced, dedicated library facilities</p> <p><u>Justification</u> Improves cultural offering Improves library facilities Community well-being and self-improvement</p> <p>Add text:</p> <p><u>Community Action: The Town Council recognises the need for museum and library facilities and will work with other parties to support the provision of enhanced and dedicated museum and library facilities.</u></p>	This is not a land use planning policy but a general statement. In order to not lose sight of the communities aspirations the amendment is made.
28	Policy E9, page 36	Delete Policy E9.	Policy provides no mechanism for providing this, however

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		<p>Policy E9 – Health Care Provision</p> <p>Enhanced health care provision to meet the needs of a growing population shall be located in the neighbourhood area.</p> <p><u>Justification</u></p> <p>Accessibility of health care provision for all segments of the local population.</p> <p><u>Community Action: The Town Council will work to encourage the provision of enhanced health care facilities, to meet the needs of a growing population, in the Neighbourhood Area'</u></p>	<p>community aspiration is recognised.</p>
29	Page 37, Para 6.5.5 to 6.5.7, policy E10 and policy E11.	<p>Delete Page 37, Para 6.5.5 to 6.5.7, policy E10 and policy E11.</p> <p>Education</p> <p>6.5.5 The various schools in Warminster are currently operating close to capacity yet growth of the town's population will require a commensurate increase in the availability of places.</p> <p>6.5.6 With limited scope to expand existing primary schools, the projected shortfall in the number of places is well recognised by Wiltshire Council. Their plans for the West Urban Extension therefore include a new primary school to cater for an increased number of pupils. This facility must be built early in the development to avoid placing an intolerable burden on existing schools particularly Princecroft which lies in the general catchment area.</p> <p>POLICY E10 – Primary Education</p> <p>The new primary schools to be provided as part of the West Urban Extension shall be built early in the development to alleviate pressure on Princecroft School</p> <p><u>Justification</u></p>	<p>The section relates to matters that are neither the responsibility of the Neighbourhood Plan, nor matters that it can control.</p>

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		<p>Growth in number of primary school pupils Alleviates pressure on existing primary schools, particularly Princecroft Matches availability of primary school places to growth in the town Encourages good practice and sense of well being.</p> <p>6.5.7 Secondary education requirements appear more problematic. Kingdown School has only limited scope to expand on its present site and may not therefore be able to accommodate the projected growth in the number of pupils without intervention. Options to increase the provision of secondary education therefore need to be explored. They should include the identification and use of land on the west side of town which places schooling close to new residential areas and will help to reduce associated cross town traffic.</p> <p>Policy E11 — Secondary Education</p> <p>Options to expand secondary education shall include land on the west side of town.</p> <p><u>Justification</u> Growth in required number of secondary education places Location of schooling in relation to residential areas.</p>	
29	Page 39 policy E12	<p>Delete policy E12.</p> <p>POLICY E12 — TOWN CENTRE ENVIRONMENT</p> <p>(See also Section 7 — Town Centre)</p> <p>1. Improve the public realm of the Western and Central Car Parks 2. Extend the town centre improvements along East Street</p> <p><u>Justification</u></p>	Policy as worded is not a land use planning policy but a statement. It is not precise and does not provide a decision maker with a clear indication of how to react to a proposal. It does not meet the basic conditions.

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		<p>Town Plan Environment Sense of community.</p> <p>Introduce new text as follows:</p> <p><u>Community Action. The Town Council will seek to improve the public realm around town centre car parks and encourage the extension of town centre improvements along East Street.</u></p>	
30	Page 39, Policy E13	<p>Delete and replace as follows;</p> <p>Policy E13 – Surrounding Environment</p> <p>New developments shall not adversely impact the local environment. In particular:</p> <ul style="list-style-type: none"> • Sight lines to and from surrounding key features are to be preserved • Developments are to include green open spaces that enhance the immediate neighbourhood • Conservation areas are to be protected • Support shall be given to projects that improve the natural environment and green space, and the biodiversity and wildlife of the neighbourhood area <p><u>‘New development should respect local character. The provision of green space that enhances its surroundings will be supported. Improvements to the natural environment, green space and biodiversity will be supported.</u></p> <p><u>Justification</u> Environment Conservation and enhancement of Warminster’s character and heritage ‘Feelgood factor’ of residents</p>	The wording of the policy is onerous and imprecise to the point that it may prevent sustainable development. Policy could inadvertently support inappropriate development.

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32	Page 39, para 6.6.6	Para 6.6.6 page 39 delete last sentence. '....They fall into two groups'	The second group of sites referred to do not comprise Local Green Space and no indication is provided with regard to the basis on which the sites shall be preserved or enhanced. The later policy is imprecise and fails to provide a decision make with a clear indication of how to react to a development proposal. E15 therefore does not meet the basic condition.
32	Page 39 Para 6.6.7	Amend Para 6.6.7 as follows: 6.6.7 The first group includes those areas that should be formally designated as Local Green Spaces (LGS), namely: <ul style="list-style-type: none"> • Folly Lane Rehobath • Tynings Allotments • Grovelands 	See below.
32	Page 39 Policy 14	Amend policy E14 as follows: 'Policy E14 – Designation of Local Open Spaces The <u>two</u> following sites shall be <u>are</u> designated as Local Green Space <u>where no development will take place other than in very special circumstances:</u> <ul style="list-style-type: none"> • Folly Lane Rehobath • Tynings Allotments 	Neighbourhood Plan provides evidence to demonstrate that two out of the three proposed areas of Local Green Space pass the relevant tests set out in the NPPF. However the area shown as 'Grovelands' comprises an area of land covering some 11.9 hectares

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		<ul style="list-style-type: none"> • Grovelands <p>Provide the two relevant Plans from Appendix 8 Immediately below Policy E14.</p>	<p>which is extensive. In the absence of any substantive evidence to demonstrate that the area shown as Grovelands does not comprise an extensive tract of land. This fails to meet national policy requirements for the designation of Local Green Space.</p> <p>For clarity it is appropriate to show the areas of Local Green Space in the Neighbourhood Plan itself rather than in an appendix.</p> <p>To ensure that Policy E14 is precise and provides a decision maker with a clear indication of how to react to a development proposal, it is appropriate to include reference to the purpose of the Local Green space Designation in the Policy Itself</p>
32	Page 39, para 6.6.8	<p>Delete para 6.6.8.</p> <p>The second group encompasses those areas that should be preserved and improved as open green spaces as far as possible. They include:</p> <ul style="list-style-type: none"> • Smallbrook Meadows and the Town Park 	<p>The second group of sites referred to do not comprise Local Green Space and no indication is provided with regard to the basis on which the sites shall be preserved or</p>

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	Page 40, policy E15	<ul style="list-style-type: none"> • Yeates Field • St George’s playing fields • The football stadium • The Wiltshire Wildlife site at Coldharbour Meadows <p>The above areas are detailed on the map at Appendix A.9.</p> <p>Delete Policy E15.</p> <p>Policy E15 – Important Open Sites</p> <p>The following sites are important to the local community and shall be preserved and enhanced as far as possible:</p> <ul style="list-style-type: none"> • Smallbrook Meadows and the Town Park • Yeates Field • St George’s playing fields • The football stadium • The Wiltshire Wildlife site at Coldharbour Meadows <p>Justification Environment Biodiversity 'Feelgood' factor of residents Well-being</p>	enhanced. The later policy is imprecise and fails to provide a decision maker with a clear indication of how to react to a development proposal. E15 therefore does not meet the basic condition.
33	Page 43	<p>Insert new paragraph above text box.</p> <p><u>‘The Box below sets out the community’s aspirations for Warminster town centre. For clarity, its contents do not comprise Policy requirements’,</u></p>	For clarity and consistency.
33	Page 46,	Amend policy TC1 as follows:	It is clear from the supporting

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	policy TC1	<p>Support the economic regeneration of the town centre including the area of the Central Car park and the site of the old police houses along with their service yard <u>will be supported.</u></p>	<p>text that the community's intention is to support regeneration as a whole rather than just economic regeneration.</p> <p>A consequential change to provide clarity and consistency with policy style and changes examiner suggests for other policies, for example with regard to policy E4 on examiners report page 26. This is also to ensure the policy is precise.</p>
34	Page 46, policy TC2	<p>Delete Policy TC2.</p> <p>Policy TC2— Central Car Park Environment</p> <ol style="list-style-type: none"> 1. Introduce clear pedestrian walkways to improve access across car park to peripheral amenities 2. Introduce strong continuous pedestrian link between Three Horseshoes Walk and Cornmarket 3. Introduce pedestrian link between Cornmarket and Station Road 4. Introduce a single management regime for all cars parking in the area 5. Remodel car parking areas to simplify layout and enhance public realm 6. Move bus/coach stands to a new amenity with direct access off Station Road <p><u>Justification</u> Town Plan Retail Plan</p>	<p>TC2 suggests that the policy suggests that the Neighbourhood Plan will do something but does not provide any mechanism for it to do so. There is no substantive evidence to demonstrate that the aspirations set out are realistic, viable or deliverable as required by national policy.</p>

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		<p>Improves public realm and safety of pedestrians Improves and enhances environment Encourages greater use of sustainable forms of transport Separates public transport from car parking.</p> <p>Add text as follows:</p> <p><u>‘Community Action: The Town Council will seek to support measure’s that:</u></p> <ol style="list-style-type: none"> 1. <u>Introduce clear pedestrian walkways to improve access across car park to peripheral amenities</u> 2. <u>Introduce strong continuous pedestrian link between Three Horseshoes Walk and Cornmarket</u> 3. <u>Introduce pedestrian link between Cornmarket and Station Road</u> 4. <u>Introduce a single management regime for all cars parking in the area</u> 5. <u>Remodel car parking areas to simplify layout and enhance public realm</u> 6. <u>Move bus/coach stands to a new amenity with direct access off Station Road</u> 	
34	Page 46, policy TC3	<p>Delete Policy TC3 – Weekly Market.</p> <p>Policy TC3— Weekly Market Move weekly market to more prominence position adjacent to existing retail provision.</p> <p>Justification</p> <p>Town Plan Retail Plan Creates a ‘win-win’ scenario by increasing market footfall and having effect of attracting more stallholders</p>	<p>Policy sets out an aspiration but does not provide appropriate clarity in respect to where the weekly market will be located. It provides no indication of how its aims will be achieved or whether they can be achieved. It lacks precision and justification. However the aspiration to move the weekly market is recognised.</p>

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		<p>A stronger market will attract more customers with benefit for all retailers.</p> <p>Add paragraph:</p> <p><u>‘Community Action: The Town Council will work with other parties to seek to move the weekly market to a more prominent, appropriate location’.</u></p>	
35	Page 47, para 7.6 to 7.6.5 and Policy TC4.	<p>Delete para 7.6 to 7.6.5 and Policy TC4.</p> <p>7.6 Rest of Town Centre Policies</p> <p>7.6.1 The town Plan’s proposals for other areas of the town centre are generally explicit and confirmed by the Plan. Developments in the town centre should therefore conform to the Town Plan. Four aspects, however, require highlighting in light of subsequent initiatives.</p> <p>7.6.2 The Town Plan notes the presence of a significant development opportunity on the north side of High Street where there is a substantial site abutting the pavement. Development here should provide continuity of activity between Market Place and George Street and should be missed use with employment to the front of the site and housing to the rear. This recommendation remains apposite and yet the site appears on the SHLAA register, which suggests its possible development for housing alone. Any development of this area should accord with the Town Plan.</p> <p>7.6.3 The Town Plan similarly seeks to improve the land to the rear of the existing buildings on the south side of Market Place. The aim is to create an attractive series of interlinked shopping courtyards that build on the success and character of Chinns Court. The ideal remains the key objective for this area but, once again, it features on the SHLAA register. As above any development of this area should conform to the Town Plan.</p> <p>7.6.4 In considering the Morrisons site and area to the south of Market Place, the Town Plan highlights the need to improve the pedestrian link between the Western / Morrisons car park and High Street. This alleyway currently creates a poor initial impression for visitors</p>	The policy refers to and is reliant upon another document, The Town Plan. The Town Plan is not an adopted planning document and the Neighbourhood Plan cannot alter its status through a policy reference.

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		<p>accessing the town centre and yet it represents a major pedestrian route. Requiring an element of imagination to make it more appealing and obvious, implementation should be relatively simple whilst offering significant benefits for the immediate area. This measure would therefore be acted upon with priority.</p> <p>7.6.5 East Street represents a particular challenge for the town. The fabric of the street is generally poor, although several businesses have improved their frontages. Overall this street creates a very poor first impression for those accessing the town centre on this key route. The issue is exacerbated by traffic issues, particularly on the approach to the Market Place / Station Road junction. It reinforces the need to improve and enhance the streetscape in this area, along with measures to improve the traffic flow.</p> <p>POLICY TC4 – High Street / South of Market Place</p> <p>Any redevelopment of town centre sites shall accord with the Town Plan.</p> <p>Justification Town Plan</p>	
35	Page 47, Policy TC5	<p>Delete policy TC5</p> <p>Policy TC5 – Western Car Park / High Street</p> <p>Priority shall be given to upgrading the pedestrian link between the Western Car Park and high Street.</p> <p>Justification Town Plan Improvement to public realm Reinforcement of retail loops.</p>	Policy seeks to introduce something beyond the control of the NP and without relevant detail to demonstrate viability.
36	Page 47,	Delete policy TC6 – East Street.	TC6 is worded as a statement,

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	policy TC6	<p>Policy TC6— East Street</p> <p>Improve the traffic flow, access and appearance of East Street.</p> <p>Justification Town Plan Main access into town from the east Improvement to local environment Removal of significant detractor</p> <p>Add paragraph:</p> <p><u>‘Community Action: The Town Council will seek to promote the upgrading of the pedestrian link between the Western Car Park and High Street, and promote works that improve the traffic flow, access and appearance of East Street’</u></p>	with no indication of how it will be implemented or whether it is viable. It does not provide a precise land use policy nor does it provide a decision maker with a clear indication of how to react to a development proposal.
37	Page 51	<p>Add text before table:</p> <p><u>‘The box below sets out some of the community’s general aspirations for Getting Around Warminster. For clarity its contents do not comprise policy documents’</u></p>	For clarity and consistency. Wording is slightly different to Inspectors Report as a typographical error was made by Inspector.
37	Page 54, Policy GA1	<p>Amend policy GA1 as follows:</p> <p>Policy GA1 – Central Car Park</p> <p><u>The regeneration of the Central Car Park area and any other significant development that generates significant amounts of movement will be required to provide a Travel Plan in the town centre shall be supported by a traffic management plan.</u></p>	NPPF requires all developments that generate significant amounts of movement to provide a travel plan (para 35). Whilst as currently worded it is imprecise, it has regard to the NPPF.
37	54, policy GA2	<p>Delete policy GA2.</p> <p>Policy GA2— Cycle routes</p>	It is imprecise and does not provide any indication of how the new cycle routes will be

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		<p>Create new cycle routes as shown at Appendix A. 8.</p> <p>Justification Promotes alternative means of getting around Helps separate cyclists from other road users Integrates new developments with existing cycle routes Health, well being and leisure.</p> <p>Add text:</p> <p><u>'Community Action: The Town Council will seek to promote the creation of new cycle routes, as identified in Appendix A10'.</u></p>	<p>provided, whether they can be provided, or any detail relating to viability. GA2 does not meet the basic conditions.</p>
38	Page 54, policy GA3	<p>Amend Policy GA3 as follows:</p> <p>Policy GA3 – West Urban Extension Integration</p> <p>Create strong <u>The provision of</u> well-lit dual pedestrian and cycle paths from the West Urban Extension to the surrounding road network particularly Grovelands, Victoria Road and Bath Road <u>will be supported.</u></p>	<p>As worded GA3 is a statement and is unclear. However it promotes the provision of pedestrian and cycle paths and that in so doing it has regard to the Framework which requires development, where practical to give priority to pedestrian and cycle movements (para 35)</p>
38	Page 54, policy GA4	<p>Amend Policy GA4 as follows:</p> <p>Policy GA4 – Pedestrian Links</p> <p>The improvement of Upgrade and improve pedestrian access to and movement within the town centre <u>will be supported.</u></p>	<p>As worded GA3 is a statement and is unclear. However it supports the improvement of pedestrian movement and consequently has regard to the Framework (para 75)</p>
39	Page 54, Policy GA5	Delete Policy GA5.	Policy is inappropriate for inclusion in the Neighbourhood

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		<p>Policy GA5 – Signage</p> <p>Improve signage as per the approved Warminster Signage Report dated 2012.</p> <p>Justification Reduces cross town traffic confusion Eases navigation of town for visitors and other users Warminster Signage Report dated 2012</p>	Plan as it refers to and is reliant upon another document, which in itself does not comprise an adopted planning document.
39	Page 54, Policy GA6	<p>Amend Policy GA6.</p> <p>Policy GA6 – Rights of Way</p> <p>4. Enhance the rights of way network round the town, and seek to retain and upgrade rights of way in and around developments</p> <p>2. Improve pedestrian and cycle access to the wider countryside</p> <p><u>Public rights of way will be protected and their enhancement will be supported.</u></p> <p><u>Improvements to pedestrian and cycle access to the countryside will be supported.</u></p> <p>Justification Improved access to the countryside Health and well-being Enhanced leisure options.</p>	Policy comprises a statement that is unclear. Gist of policy has regard to para 75 of NPPF and chapter 4 of the framework and therefore the policy should be made clearer.
40	56, para 9.1.1 and 9.1.2	<p>Delete para 9.1.1 and 9.1.2.</p> <p>9.1.1 This Plan has been updated to reflect the views expressed during extensive consultation. The next step is for the Plan to be submitted to Wiltshire Council which will assess its validity through a period of formal statutory consultation and independent examination.</p> <p>9.1.2 When the content of policies are agreed, a referendum will be held to approve the document at which point it will become part of the development plan for Wiltshire. 'Delivery</p>	Paragraphs are out of date.

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		of the Plan' will then be satisfied in large measure through the formal planning process which will be informed by the respective policies.	
Additional changes required for consistency with the Examiner's recommendations.			
	Appendices	Delete the following appendices: A.9 Other important areas of green space Re-order appendices accordingly.	Appendices to be deleted to represent changes made to main body of the Neighbourhood Plan.
	Para 2.5.2, page 8	Amend paragraph to read@ 'This draft-Plan has been developed.....'	To be consistent with examiners request on page 14 of his report to remove reference to 'draft'.
	Para 6.5.1, page 36	Delete para 6.5.1 as follows: 'Community services and facilities are wide ranging. They include amongst others: <ul style="list-style-type: none"> • Healthcare • Education' 	For clarity. Since the inspector has removed the whole section on education on page 29 of his report this paragraph is now redundant and should be removed.
	Para 6.6.6 to 6.6.7	Remove reference to para 6.6.7 and add text of 6.6.7 to end of para 6.6.6 and amend beginning of sentence (what was 6.6.7) to read: ' <i>This</i> The first group includes those areas.....'	The Examiner has asked for the last sentence of para 6.6.6 to be removed on page 32 of his report that reads 'They fall into two groups.'. As a logical outcome the first sentence of para 6.6.7 that starts 'The first group....' Should be amended to reflect the deletion on page 32 of inspectors report. It would then be clearer if para 6.6.6 and 6.6.7 were joined.
	All	All paragraphs and policies to be re-numbered to represent deletions or additions to the Neighbourhood Plan.	For clarity.

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