

## **BURBAGE NEIGHBOURHOOD DEVELOPMENT PLAN DECISION STATEMENT (PROCEEDING TO REFERENDUM)**

### **1. INTRODUCTION**

- 1.1. Pursuant to the Wiltshire Council constitution and in particular Part 3B, the 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 Burbage Neighbourhood Development Plan comprises the whole of the parish of Burbage. On 14<sup>th</sup> July 2014 Wiltshire Council formally approved that the Burbage Neighbourhood Area (i.e. the land within the parish of Bremhill) be designated in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.2. Burbage Parish Council – the ‘qualifying body’, submitted the draft Burbage Neighbourhood Development Plan, along with supporting documents, to Wiltshire Council in July 2017 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 Burbage Neighbourhood Development Plan, Wiltshire Council publicised the Plan and supporting documents and invited representations during the consultation period 31<sup>st</sup> August to 12<sup>th</sup> October 2017.
- 2.4. In November 2017 Wiltshire Council appointed an independent examiner, Ms Ann Skippers to examine the Plan and consider whether it should proceed to referendum.
- 2.5. The examiner’s report was received in March 2018 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 Burbage 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.

- 2.7. After receipt of the examiner's report, in response to a joint statement issued by the Environment Agency and Natural England regarding protection of the River Avon Special Area of Conservation, it was necessary to review whether the draft Plan complied with requirements of the Habitats Regulations. The Council therefore reviewed the Habitats Regulations Assessment carried out in September 2016. An Addendum to the Assessment concluded that the draft Plan (as modified following examination) would not lead to adverse effects.

### **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 Burbage Neighbourhood Development 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 Burbage Neighbourhood Area.
- 3.4. I declare that I have no private interest in respect of this matter that would prevent me from making this decision.

**Signed:**



**Tim Martienssen**  
Director,  
Economic Development and Planning  
Wiltshire Council

**Dated:** 11<sup>th</sup> May 2018

## APPENDIX 1

### Modifications required to be made to the draft Burbage Neighbourhood Development Plan in response to the Examiner's recommendations

#### Guidance for using this document

The following table sets out the changes that are required to be made to the Neighbourhood Plan, together with the explanation and reason for the change. This should be read alongside the Report of the independent Examiner to Wiltshire Council on the Burbage Neighbourhood Development Plan 2017-2026 (dated 19<sup>th</sup> March 2018).

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

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

The relevant paragraph, policy and page numbering relates to the draft Burbage Neighbourhood Development Plan 2017-2026 (hereafter referred to as the 'BNDP'), as submitted to Wiltshire Council.

The final Burbage Neighbourhood Development Plan 2017-2026, 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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Reference No	Page in Examiner Report	Related BNDP page / section	Recommendation and proposed modification	Reason for modification
1	15	Para 6.14 p17	<p>EXAMINER’S RECOMMENDATION</p> <p>Delete paragraph 6.14 on page 17 of the Plan and replace with:</p> <p><i>“Although Burbage does not fall within any European sites, the Parish does fall within an outer zone of the Salisbury Plain Special Protection Area in relation to recreational pressure from development.”</i></p> <p>REQUIRED MODIFICATION</p> <p>Delete:</p> <p><del>Burbage is located within the River Avon Special Area of Conservation (SAC) and is also covered by the Salisbury Plain SAC. This means that the area contains sensitive and important biodiversity interests and that extra attention needs to be paid to development that could possibly affect the catchment area by the pollution of watercourses. Development has the potential to mitigate negative effects or to actually positively enhance habitat.</del></p> <p>Replace with:</p> <p><b><u>“Although Burbage does not fall within any European sites, the Parish does fall within an outer zone of the Salisbury Plain Special Protection Area in relation to recreational pressure from development. Burbage is also located within the River Avon special Area of Conservation catchment. The Environment Agency and Natural England advise that all development within the River Avon catchment should be</u></b></p>	<p>For accuracy: Statement incorrect.</p> <p>Additional text to address the interim joint position statement of the Natural England and the Environment Agency regarding the River Avon SAC. (See the addendum to the Habitats Regulation Assessment (May 2018) attached)</p>

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			<b><u>'phosphate neutral' for an interim period until 2025. Beyond this time an approach will take account of water company planning, as well as Government policy and legislation. This is to guard against a further worsening of the condition of the SAC. An annex of the Nutrient Management Plan will explain measures to help deliver phosphate neutral development and how they will be delivered. Some measures are capable of being delivered as a part of housing development. Off-site measures are supported by Community Infrastructure Levy and there is also scope to improve the efficiency of sewage treatment works. (Core Policy 69 - Protection of the River Avon SAC applies)'</u></b>	
2	15	Para 6.24 p19	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the reference to "Appendix 3" in paragraph 6.24 on page 19 of the Plan to "Appendix 2"</p> <p>REQUIRED MODIFICATION</p> <p>Amend the reference to "Appendix 3" in paragraph 6.24 on page 19 of the Plan to "Appendix <u>3</u>"</p>	For accuracy: a typographical error to correct
3	17	Policy 1 p26	<p>EXAMINER'S RECOMMENDATION</p> <p>Add a sentence at the start of the policy which reads:</p> <p><i>"Within the settlement boundary of Burbage village as shown on Policies Map [X], the following three criteria apply."</i></p>	For clarity: to avoid possible confusion over the area subject to this policy.

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			<p>REQUIRED MODIFICATION</p> <p>Add a sentence at the start of the policy which reads:</p> <p><b><u>“Within the settlement boundary of Burbage village as shown on the Policies Map, the following three criteria apply”</u></b></p>	
4	17	After para 9.17, p27	<p>EXAMINER'S RECOMMENDATION</p> <p>Insert a policies map (Map X) into the Plan to sit alongside Policy 1 that clearly shows the settlement boundary (as it currently exists) for Burbage</p> <p>REQUIRED MODIFICATION</p> <p>Insert sub heading after paragraph 9.17</p> <p><b><u>“The Current Burbage Settlement Boundary”</u></b></p> <p>Insert a map (see figure 1) to show the settlement boundary as shown in the inset for Pewsey Community Area within the Wiltshire Core Strategy policies map.</p>	For clarity: to avoid possible confusion over the area subject to this policy.
5	17	Policy 1, p26	<p>EXAMINER'S RECOMMENDATION</p> <p>Amend criterion i. so that it reads:</p> <p>“Apart from the <i>site</i> allocation in this <i>Plan</i>, most future housing need is expected to be met <i>through small-scale or infill schemes</i></p>	For Clarity: to describe the scale of housing development the policy supports and because it is not clear what sort of need an applicant would have to

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			<p><i>of up to 10 units."</i></p> <p>REQUIRED MODIFICATION</p> <p>Amend criterion i. so that it reads:</p> <p>"Apart from the <b>site</b> allocation in this <b>Plan</b>, most future housing need is expected to be met <b><u>through small-scale or infill schemes of up to 10 units.</u></b> Any larger non infill schemes will have to demonstrate a clear need for development on this scale within the context of Wiltshire Core Strategy Policies 1,2 and 18."</p>	demonstrate in order to comply with the second element of the criterion.
6	17	Policy 1, p26	<p>EXAMINER'S RECOMMENDATION</p> <p>Add a sentence before criterion iv. that reads:</p> <p><i>"The following criterion applies throughout the Plan area:"</i></p> <p>REQUIRED MODIFICATION</p> <p>Add a sentence before criterion iv. that reads:</p> <p><b><u>"The following criterion applies throughout the Plan area:"</u></b></p>	To clarify the area to which this criterion applies.
7	17	Policy 1, p26	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the start of the last sentence in criterion iv. to read:</p>	To avoid a requirement that could be unduly onerous on small businesses

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			<p>"A <i>proportionate</i> travel plan..."</p> <p>REQUIRED MODIFICATION</p> <p>Change the start of the last sentence in criterion iv. to read:</p> <p>"A <b><u>proportionate</u></b> travel plan..."</p>	
8	18	Policy 2, p28	<p>EXAMINER'S RECOMMENDATION</p> <p>Add a sentence at the start of the policy which reads:</p> <p><i>"Within the settlement boundary of Burbage village as shown on Policies Map [X], the following criteria will apply:"</i></p> <p>REQUIRED MODIFICATION</p> <p>Add a sentence at the start of the policy which reads:</p> <p><b><u>"Within the settlement boundary of Burbage village as shown on the Policies Map, the following criteria will apply"</u></b></p>	For clarity: to avoid possible confusion over the area subject to this policy.
9	18	Policy 2, p28	<p>EXAMINER'S RECOMMENDATION</p> <p>Delete criterion i. in its entirety and renumber the remaining criteria</p> <p>REQUIRED MODIFICATION</p> <p>Delete criterion i in its entirety and renumber the remaining criteria</p>	For clarity: this provision contradicts Policy 1 and its wording might result in unintended results.

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			<p><del>i. Any development of 5 or more houses must include at least 1 unit of the total number of as 1 or 2 bedroom dwellings.</del></p> <p>Replace ii with <b>i</b> and iii with <b>ii</b></p>	
10	18	Policy 2, p28	<p>EXAMINER'S RECOMMENDATION</p> <p>Change criterion iii. to read:</p> <p><i>"Developments of more than 25 homes should include provision of at least one market dwelling specifically designed for disabled access or to facilitate care at home."</i></p> <p>REQUIRED MODIFICATION</p> <p>Change criterion iii. to read:</p> <p>"Developments of more than 25 homes should include provision of at least one <del>home</del> <b>market dwelling</b> specifically <b>designed</b> for disabled access or to facilitate care at home <del>whether this an affordable or open market home.</del>"</p>	For clarity: to avoid possible confusion between market and affordable housing, since the latter already would include this element
11	20	Policy 3, p31	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the first sentence of the policy to read:</p> <p><i>"Land at Grafton Road as shown on the map on page 33 of the Plan is allocated for a housing development of approximately 30 homes of mixed use and type subject to:</i></p>	<p>For clarity: to clarify that the policy allocates the site and show its location.</p> <p>In addition, the imposition of an upper limit on numbers is not acceptable</p>

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			<p>REQUIRED MODIFICATION</p> <p>Change the first sentence of the policy to read:</p> <p><b><u>Land at Grafton Road:- as shown on the map on page 33 of the Plan is allocated as</u></b> a housing development of up to <b><u>approximately</u></b> 30 homes of mixed size <b><u>use</u></b> and type is acceptable subject to:</p> <p>(Note: page number may change depending on document re-formatting)</p>	<p>as neighbourhood plans cannot cap development as this would not allow for the flexibility the NPPF seeks.</p>
12	20	Policy 3, p31	<p>EXAMINER'S RECOMMENDATION</p> <p>Add a new paragraph at the end of the policy that reads:</p> <p><i>"The site will be subject to a detailed masterplanning process to make the best use of the site whilst respecting its location and context in the village as well as its location close to designated heritage assets and to comply with the design principles outlined in the Landscape Appraisal in Appendix 4 of the Plan."</i></p> <p>REQUIRED MODIFICATION</p> <p>Add a new paragraph at the end of the policy that reads:</p> <p><b><u>"The site will be subject to a detailed masterplanning process to make the best use of the site whilst respecting its location and context in the village as well as its location close to designated heritage assets and to comply with the</u></b></p>	<p>To ensure a master planning process and reference to the design principles in Appendix 4 in the interests of proper planning and achieving sustainable development,</p>

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			<b><u>design principles outlined in the Landscape Appraisal in Appendix 4 of the Plan.</u></b>	
13	21	Policy 4, p34  Consequential amendments: Para 3.11, p8 Appendix 1, P51	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the title of Policy 4 to <i>"Local Infrastructure Priorities"</i></p> <p>REQUIRED MODIFICATION</p> <p>Change the title of Policy 4 and the section heading to:  <del>"Policy 4 – Developer Contributions</del> <b><u>Local Infrastructure Priorities</u></b></p> <p>Amend reference against Policy 4 in the text box as follows:  <del>"Developer Contributions</del> <b><u>Local Infrastructure Priorities</u></b></p> <p>Amend reference against Policy 4 on page 51 as follows:  <del>Developer Contributions</del> <b><u>Local Infrastructure Priorities</u></b></p>	To more accurately reflect the role and purpose of the policy, plus consequential amendments
14	21	Policy 4, p34	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the first sentence of the policy to read:  <i>"Infrastructure requirements will be sought in accordance with Wiltshire Core Strategy Core Policy 3 and the Wiltshire Planning Obligations SPD and charged through the Community Infrastructure Levy. Local priorities for infrastructure needs and</i></p>	For clarity: to avoid any potential confusion and to add clarity so that the policy provides a practical framework for decision-making in line with national policy and guidance.

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			<p><i>improvements are:</i>" [retain criterion i. to iv.]</p> <p>REQUIRED MODIFICATION</p> <p>Change the first sentence of the policy to read:</p> <p><del>"Developer contributions</del> <b>Infrastructure requirements</b> will be sought in accordance with Wiltshire Core Strategy Core Policy 3 and the Wiltshire Planning Obligations <del>DPD</del> <b>SPD and charged through the Community Infrastructure Levy. Local priorities for infrastructure needs and improvements are:</b>" <del>to meet the following local infrastructure needs.</del></p> <p>Amend paragraph 9.31 as follows:</p> <p>Developers may be required to contribute towards the provision of local infrastructure and to mitigate impacts of development proposals in order to make them acceptable in planning terms, in accordance with National and Wiltshire Core Strategy Policy (for example, CP3 as amplified by Wiltshire Planning Obligations SPD <del>May 2015</del> <b>October 2016</b>). The purpose of this policy in the NDP is not to duplicate the wider policy context or encourage 'double-dipping' but simply to add local detail and let developers know in advance what the priorities and expectations are as expressed by the local community (for example in the Reg.14 consultation). <b><u>The Parish Council will receive a proportion of the Community Infrastructure Levy (CIL) revenues generated in the parish area, which can be directed towards delivering the local infrastructure priorities. This is 25% of CIL receipts where a neighbourhood plan is made.</u></b> It is recognised that requirements of this nature must be reasonable</p>	<p>Consequential amendment for clarity.</p>

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			not impinge on viability or deliverability. In that regard reference to the Wiltshire Local Plan Viability Assessment, which places Burbage in Category 1 (high viability) has been invaluable.	
15	22	Policy 5, p35	<p>EXAMINER'S RECOMMENDATION</p> <p>Reword criterion i. to read:</p> <p><i>“Small workshops and studios will be encouraged throughout the Plan area subject to meeting all of the following criteria:</i></p> <ul style="list-style-type: none"> <li>- <i>the size, scale and design of any new building is appropriate for its location and would not detract from the character or appearance of the landscape</i></li> <li>- <i>the development and proposed use would not detract from residential amenity</i></li> <li>- <i>the development is supported by adequate infrastructure</i></li> <li>- <i>it would not generate significant traffic and</i></li> <li>- <i>demonstrate that account has been taken of the AONB Management Plan.”</i> <p>REQUIRED MODIFICATION</p> <p>Reword criterion i. to read:</p> <p><b>“Small workshops and studios <u>will be encouraged throughout the Plan area subject to meeting all of the following criteria:</u></b>  <del>not likely to impact on the amenity of neighbours by virtue of operation, including significant traffic generation, will be encouraged throughout the plan area, subject to compliance with other policies of the plan.</del></p> </li></ul>	For clarity: provide a distinct local approach that does not undermine the general principle of the Wiltshire Core Strategy.

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			<p><b><u>- the size, scale and design of any new building is appropriate for its location and would not detract from the character or appearance of the landscape</u></b>  <b><u>- the development and proposed use would not detract from residential amenity</u></b>  <b><u>- the development is supported by adequate infrastructure</u></b>  <b><u>- it would not generate significant traffic and</u></b>  <b><u>- demonstrate that account has been taken of the AONB Management Plan.”</u></b></p>	
16	22	Policy 5, p35	<p>EXAMINER'S RECOMMENDATION</p> <p>Reword criterion ii. to read:</p> <p>“Tourism related businesses will be supported throughout the Plan area subject to <i>meeting all of the following criteria:</i></p> <ul style="list-style-type: none"> <li>- <i>Wherever possible, the use should be located in existing buildings</i></li> <li>- <i>The scale, design and use of the proposal is compatible with its landscape setting and would not detract from the character or appearance of the landscape</i></li> <li>- <i>It would not be detrimental to residential amenity</i></li> <li>- <i>The development is served by adequate access and infrastructure</i></li> <li>- <i>The site has reasonable access to local services and a local employment base.”</i></li> </ul> <p>REQUIRED MODIFICATION</p>	For clarity: to provide a distinct local approach that does not undermine the general principle of the Wiltshire Core Strategy

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			<p>Reword criterion ii. to read:</p> <p>"Tourism related businesses will be supported throughout the Plan area subject to <b><u>meeting all of the following criteria:</u></b>  <del>subject to compliance with other policies of the plan</del></p> <ul style="list-style-type: none"> <li>- <b><u>Wherever possible, the use should be located in existing buildings</u></b></li> <li>- <b><u>The scale, design and use of the proposal is compatible with its landscape setting and would not detract from the character or appearance of the landscape</u></b></li> <li>- <b><u>It would not be detrimental to residential amenity</u></b></li> <li>- <b><u>The development is served by adequate access and infrastructure</u></b></li> <li>- <b><u>The site has reasonable access to local services and a local employment base."</u></b></li> </ul>	
17	23	Policy 5, p35	<p>EXAMINER'S RECOMMENDATION</p> <p>Reword criterion iii. to read:</p> <p>"Farm diversification involving conversion of existing <i>rural</i> buildings or <i>their</i> extension for non-residential use will be permitted in the Parish outside the LoD subject to <i>compliance with all of the following criteria:</i></p> <ul style="list-style-type: none"> <li>- <i>the buildings are structurally sound and capable of conversion without major rebuilding</i></li> <li>- <i>the use would not detract from the character or appearance of the landscape or surrounding area or on the AONB</i></li> <li>- <i>it would not be detrimental to residential amenity</i></li> </ul>	To better reflect Wiltshire Core Strategy policy and be consistent with the use of 'settlement boundary' rather than 'LoD' (limits of development) in policies 1 and 2

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			<p><i>- the building is served by adequate access and infrastructure.”</i></p> <p>REQUIRED MODIFICATION</p> <p>Reword criterion iii. to read:</p> <p>“Farm diversification involving conversion of existing <del>farm</del> <b>rural</b> buildings or <b>their</b> extension <del>of same</del> <b>for</b> non-residential use will be permitted in the Parish outside the LoD <del>the settlement boundary</del> <b>the settlement boundary</b> subject to acceptable impacts on the openness and scenic quality of the AONB and compliance with other policies of the plan <b><u>all of the following criteria</u></b>:</p> <p><b><u>- the buildings are structurally sound and capable of conversion without major rebuilding</u></b>  <b><u>- the use would not detract from the character or appearance of the landscape or surrounding area or on the AONB</u></b>  <b><u>- it would not be detrimental to residential amenity</u></b>  <b><u>- the building is served by adequate access and infrastructure.”</u></b></p>	
18	23	After para 9.36, p35	<p>EXAMINER’S RECOMMENDATION</p> <p>Change the second sentence of the “NB” on page 35 of the Plan to read:</p> <p><i>“The matters the policy covers may already be partially permitted by policies in the WCS, but this policy goes beyond WCS policies whilst being in general conformity with them.”</i></p>	For clarity

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			<p>REQUIRED MODIFICATION</p> <p>Change the second sentence of the "NB" on page 35 of the Plan to read:</p> <p>"The matters the policy covers may already be <b>partially</b> permitted by virtue of <del>policies in the</del> WCS policy, <b>but this policy goes beyond WCS policies whilst being in general conformity with them.</b>"</p>	
19	24	Location Map, p37	<p>EXAMINER'S RECOMMENDATION</p> <p>Replace the Location Map on page 37 of the Plan with a higher resolution reproduction of the revised location indicated in Appendix 1 attached to the responses dated 15 February 2018 to my queries.</p> <p>REQUIRED MODIFICATION</p> <p>Replace the Location Map on page 37 of the Plan with the Plan shown in figure 2 below this schedule.</p>	For clarity
20	24	Policy 6, p36	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the start of the policy to read:</p> <p><i>"Employment-generating uses will be acceptable at Harepath Farm (expansion of existing facility) shown on the accompanying Location Map on page XX of the Plan subject to:"</i></p>	For clarity: to clarify that the policy allocates the site, proposed uses and show its location

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			<p>REQUIRED MODIFICATION</p> <p>Change the start of the policy to read:</p> <p><del>“Employment will be acceptable at the following site;</del>  <b><u>Employment-generating uses will be acceptable at Harepath Farm (expansion of existing facility) shown on the accompanying Location Map on page [XX] of the Plan subject to.”</u></b></p> <p>(Note: [XX] - insert appropriate page number once the document is re-formatted.)</p>	
21	24	Policy 6, p36	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the second criterion to:</p> <p><i>“the use of renewable and low carbon energy in the design is encouraged subject to the impact on the AONB”</i></p> <p>REQUIRED MODIFICATION</p> <p>Change the second criterion to:</p> <p><b>“<u>the</u> use of renewable and low carbon energy in the design <u>is encouraged subject to the impact on the AONB</u>”</b></p>	To allow more flexibility and to include appropriate safeguards to take account of national policy and guidance
22	24	Para 9.39, p36	<p>EXAMINER'S RECOMMENDATION</p> <p>Delete reference to Core Strategy Core Policy 38 on page 36 of</p>	For accuracy

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			<p>the Plan</p> <p>REQUIRED MODIFICATION</p> <p>Amend first sentence of paragraph 9.39 as follows:</p> <p>“The policy is consistent with the NPPF (e.g. Paragraph 28), and WCS CP’s 34, 38, 39, 48, 49. In the case of CP 34 ...”</p>	
23	26	Policy 7, p38	<p>EXAMINER’S RECOMMENDATION</p> <p>Change the first sentence of the policy to read:</p> <p>“The following <i>areas as shown on the accompanying Local Green Spaces – Site Map on page XX of the Plan</i> are formally designated as <i>Local Green Spaces</i> and will remain as open spaces, retaining their existing recreational uses.” [retain existing a. and b.]</p> <p>REQUIRED MODIFICATION</p> <p>Change the first sentence of the policy to read:</p> <p>““The following <b><u>areas as shown on the accompanying Local Green Spaces – Site Map on page 39 of the Plan</u></b> are formally designated as <b><u>Local</u></b> Green Spaces and will remain as open spaces, retaining their existing recreational uses.”</p> <p>(Note: page number may change depending on document re-formatting)</p>	<p>For clarity: to avoid possible confusion, refer to the Site Map within the policy itself in the interests of providing the practical framework required by national policy and guidance.</p>

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24	26	Policy 7, p38	<p>EXAMINER'S RECOMMENDATION</p> <p>Delete the last paragraph of the policy in its entirety and replace it with:</p> <p><i>"Development within the Local Green Spaces will be consistent with policy for managing development within Green Belts."</i></p> <p>REQUIRED MODIFICATION</p> <p>Amend the last paragraph of the policy as follows:</p> <p><del>"New residential or employment development will not normally be permitted on the Green Spaces. Extension of existing buildings or new buildings for recreational or community use will however be permitted."</del> <b><u>Development within the Local Green Spaces will be consistent with policy for managing development within Green Belts"</u></b></p>	To be avoid possible confusion and to be consistent with national policy
25	26	Para 9.46, p40	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the reference to "Green Space" in the supporting text at paragraph 9.46 to "<i>Local Green Space</i>"</p> <p>REQUIRED MODIFICATION</p> <p>Amend the first sentence of paragraph 9.46 as follows:  "development in a <b><u>Local</u></b> Green Space must be similar ... "</p>	To avoid possible confusion and to be consistent with national policy

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26	26	Para 9.46, p40	<p>EXAMINER'S RECOMMENDATION</p> <p>Change the reference to "Planning Policy Guidance (PPG)" in paragraph 9.46 to "<i>the National Planning Policy Framework (NPPF)</i>"</p> <p>REQUIRED MODIFICATION</p> <p>Amend the second sentence of paragraph 9.46 as follows:</p> <p>"the only exceptions are as set out in <b>the National</b> Planning Policy <b>Framework</b> Guidance (PPG <b>NPPF</b>) – paragraph 89, namely."</p>	For accuracy.
26	26	Para 9.46, p40	<p>EXAMINER'S RECOMMENDATION</p> <p>Add a reference or insert paragraph 90 of the NPPF at the end of paragraph 9.46 on page 40 of the Plan or add a new paragraph to this effect.</p> <p>REQUIRED MODIFICATION</p> <p>Insert the following after paragraph 9.46:  <b><u>"Certain other forms of development are also not inappropriate. These are listed in paragraph 90 of the NPPF."</u></b></p>	To avoid possible confusion and to be consistent with national policy
28	27	Policy 8, p41	<p>EXAMINER'S RECOMMENDATION</p> <p>"Delete the words "...and may be sought under the Developer Contributions Policy" from criterion i. and replace with "<i>through</i></p>	For clarity: to be consistent with policy 4.

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			<p><i>appropriate planning obligations.</i>"</p> <p>REQUIRED MODIFICATION</p> <p>Amend the final sentence of criterion i as follows:</p> <p>"especially the need for a footpath along the High Street, are acceptable and may be sought under the Developer Contributions Policy <b><u>through appropriate planning obligations.</u></b>"</p>	
29	27	<p>Policy 8, p41</p> <p>Consequential amendments: Para 9.48, p42 Glossary of terms</p>	<p>EXAMINER'S RECOMMENDATION</p> <p>Change criterion ii so that it reads:</p> <p>"New housing or housing development within the <i>settlement boundary</i> will be required to demonstrate that sufficient parking is provided <i>in line with WC's policies and standards</i> within the scheme to prevent the need for residents to park on the street. <i>Where, due to site constraints or in the interests of high quality design, satisfactory</i> parking cannot be physically provided on <i>site</i>, contributions toward <i>identified and suitable</i> public parking facilities elsewhere in the village <i>may</i> be acceptable through <i>planning obligations</i>. These additional facilities will be designed and located to reduce congestion, facilitate retail businesses and access to services (including public transport)."</p> <p>REQUIRED MODIFICATION</p> <p>Amend criterion (ii) as follows:</p>	<p>For clarity: to avoid possible confusion around parking standards, planning obligations and CIL and to ensure the effectiveness of the policy.</p> <p>Consequential amendments are also necessary for clarity and consistency.</p>

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			<p>ii. New housing or housing development within the <b><u>settlement boundary</u></b> LoD will be required to demonstrate that sufficient parking is provided <b><u>in line with WC's policies and standards</u></b> within the scheme to prevent the need for residents to park on the street. Where, <b><u>due to site constraints or in the interests of high quality design, satisfactory</u></b> adequate parking cannot be physically provided on site contributions toward <b><u>identified and</u></b> suitable public parking facilities elsewhere in the village <b><u>may</u></b> will be acceptable through <b><u>planning obligations</u></b> <del>GL</del>. These additional facilities will be designed and located to reduce congestion, facilitate retail businesses and access to services (including public transport).</p> <p>Amend second sentence of paragraph 9.51 and third bullet point to read as follows:</p> <p>"...is held to be desirable that trips within the village <b><u>settlement boundary</u></b> LoD should be made by sustainable transport modes (foot, cycle, bus) when possible."</p> <p>"including those that go beyond the <b><u>settlement boundary</u></b> LoD of the village."</p> <p>Delete acronym and definition for LoD from glossary of terms. Insert the following:</p> <p><b>"Settlement boundary the definition to the extent of the built up area of Burbage Village"</b></p>	
30	28	Policy 9, p43	EXAMINER'S RECOMMEDATION	For clarity, accuracy and to

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			<p>Change the first paragraph of the policy to read:</p> <p><i>“Within the Burbage and Eastcourt Conservation Areas, any development proposals must demonstrate how the guidance contained in the Burbage Conservation Area Character Appraisal and Management Proposal, February 2008 or in the Eastcourt Conservation Area Character Appraisal and Management Proposal, February 2008, or any subsequent updates to these documents, has been taken into account.”</i></p> <p>REQUIRED MODIFICATION</p> <p>Delete the first paragraph of the policy and substitute the following:</p> <p><u><b>“Within the Conservation Area development proposals will have to demonstrate how their schemes reflect the guidance contained within the Burbage Conservation Area Character Appraisal and Management Proposal, February 2008, and in particular how they relate to the specific local character that surrounds them. <i>Within the Burbage and Eastcourt Conservation Areas, any development proposals must demonstrate how the guidance contained in the Burbage Conservation Area Character Appraisal and Management Proposal, February 2008 or in the Eastcourt Conservation Area Character Appraisal and Management Proposal, February 2008, or any subsequent updates to these documents, has been taken into account.”</i></b></u></p>	accord with the relevant legislation and legal principles.
31	29	Policy 9, p43	EXAMINER'S RECOMMENDATION	For clarity, accuracy and to

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			<p>Delete the second and third paragraphs of the policy</p> <p>REQUIRED MODIFICATION</p> <p>Delete the second and third paragraphs of the policy</p> <p><del>“New development must add positively to rather than detract from the character of the conservation area. This is especially important in terms of design, scale and choice of local or traditional materials. Where disagreement exists between developers and the LPA the developer must produce a viability assessment.</del></p> <p><del>New development must also protect or enhance existing views in and out towards the AONB and not compromise those views enjoyed currently by others.”</del></p>	accord with the relevant legislation and legal principles.
32	29	<p>Paragraphs 9.53 and 9.54, p43 and paragraph 9.55, p44</p> <p>Consequential amendments:</p> <p>Objectives, p7 and NDP objectives, 23</p>	<p>EXAMINER'S RECOMMENDATION</p> <p>Add references to the Eastcourt Conservation Area Character Appraisal and Management Proposal, February 2008 to the supporting text and evidence base at paragraphs 9.53 and 9.54 on page 43 of the Plan and the justification in paragraph 9.55 on page 44 of the Plan</p> <p>REQUIRED MODIFICATION</p>	For accuracy: Consequential amendments

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		Para 3.11, p8 Para 5.3, p12 Para 5.11, p14 Para 6.4, p15 Para 6.6, p15 Para 6.10, p16 Para 9.56, p44	<p>Amend the third sentence of paragraph 9.53 to read as follows:</p> <p>“This reflects its growth from several hamlets over a period of hundreds of years. The most important character areas are identified in <b>each of</b> the Burbage <b>and Eastcourt</b> Conservation Area Character Appraisals and Management Proposals, February 2008, and it is within these areas, and their settings that most care is needed in terms of design, scale and choice of materials.”</p> <p>Insert into paragraph 9.54:</p> <p>“Documentary: Burbage Conservation Area Character Appraisal and Management Proposal, February 2008, <b><u>Eastcourt Conservation Area Character Appraisal and Management Proposal, February 2008</u></b>, AONB Management Plan.”</p> <p>Amend paragraph 9.55 to read as follows:</p> <p>“ ... The point of the policy is to draw attention to the Conservation Area Character Appraisals and make it a requirement that proposals must demonstrate reflection of the guidance. This is a stronger position than currently expressed by the WCS, where responding to a Character Appraisal is not a formal requirement of policy but merely a matter dealt with in supporting text. (WCS Paragraph 6.140). The community feels strongly about its heritage and this should be reflected in the neighbourhood plan, especially given the desire of the community to benefit more from tourism to support local employment. By raising the importance of the Conservation</p>	

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			<p>Area Appraisals <u>s</u> to make consideration a policy requirement, this NDP policy is not felt to duplicate existing WCS policy but to enhance it by adding local detail.”</p> <p>Amend objective 7 to read as follows:            “To protect the quality, character and local distinctiveness of the natural and historic landscape and village buildings, and maintain high design quality, especially within the conservation areas<u>s</u>”</p> <p>Amend paragraph 3.11 to read as follows:            “...            Heritage            Protection of listed buildings and the conservation areas<u>s</u>”.</p> <p>Amend second and third sentences of paragraph 5.3 to read as follows:            “In 2008 a Conservation Area Character Appraisals <u>s</u> was <u>were</u> published with the aim of recording and protecting local distinctiveness and heritage. This has <u>They have</u> been adopted by the local planning authority and <u>is are</u> a material consideration for development management purposes.”</p> <p>Amend the first sentence of paragraph 5.11 to read as follows:            “The existing <u>Burbage Conservation Area Character Appraisal</u> was formally adopted by the then LPA, Kennet District Council, in February 2008.”</p>	

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			<p>Amend the second sentence of paragraph 6.4 to read as follows:</p> <p>“The setting of the settlement in this landscape makes a key contribution to the character and appearance of the conservation areas, the ..”</p> <p>Amend paragraph 6.6 to read as follows:</p> <p><b>Heritage</b> is an important issue in the village. Burbage, lying on the north-south route of the Marlborough to Salisbury road where it crosses the Vale of Pewsey, contains a conservation area<u>s</u> designated in <b>1985 and</b> 1993 in recognition of <del>its</del> <b>their</b> architectural and historic character.”</p> <p>Amend beginning of paragraph 6.10 to read as follows:</p> <p>“The published <b>Burbage Conservation Area Appraisal</b> describes the character..”</p> <p>Amend paragraph 9.56 to read as follows:</p> <p>“... <b>Amenity and wishes of the community:</b> The historic buildings, trees and green spaces of the conservation area<u>s</u> ...”</p>	
33	29	Appendix 5, p80	<p>EXAMINER'S RECOMMENDATION</p> <p>Add to Appendix 5 a sentence that reads:</p>	For clarity.

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			<p><i>“The information in this appendix is correct at the time of writing the Plan. Up to date information should be sought from the local planning authority, the Parish Council or other relevant organisation such as the Environment Agency.”</i></p> <p>REQUIRED MODIFICATION</p> <p>Add under the heading to Appendix 5:</p> <p><b><u>“The information in this appendix is correct at the time of writing the Plan. Up to date information should be sought from the local planning authority, the Parish Council or other relevant organisation such as the Environment Agency.”</u></b></p>	
34	8	Para 1.0 p5	<p>EXAMINERS RECOMMENDATION</p> <p>Change “2016” in paragraph 1.0 on page 5 of the Plan to “2017”</p> <p>REQUIRED MODIFICATION</p> <p>The Localism Act invites communities led by a ‘Qualifying Body’, usually the local Parish Council (PC), to write Neighbourhood Development Plans (NDPs). Such plans set out how communities want their area to develop over a given period; for Burbage, the NDP’s timeframe is <del>the same as the Wiltshire Core Strategy, from 2016</del> <b>2017</b> to 2026.</p>	<p>The Burbage NDP covers the period of 2017–2026 as clearly stated on the plans front cover. In the interests of consistency this needs to be reflected and it is not the same timeframe as the Wiltshire Core Strategy which is 2015- 2026 and therefore this is inaccurate and this part should be removed.</p>

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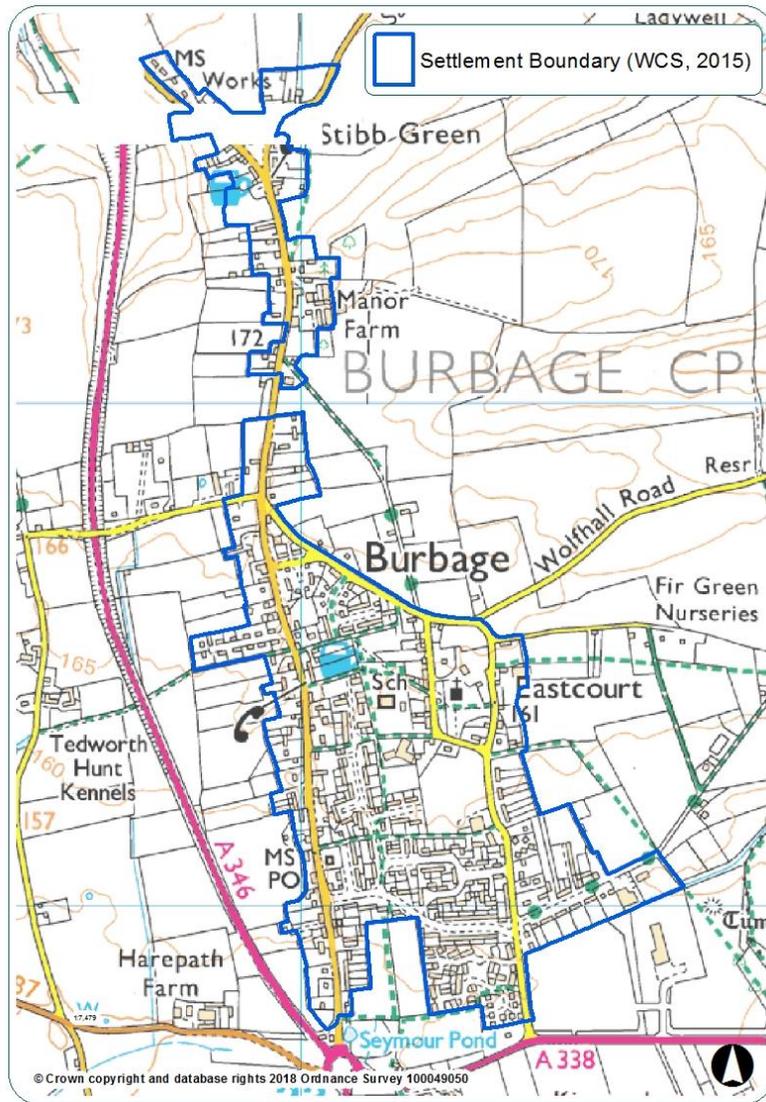


Figure 1: Change 4

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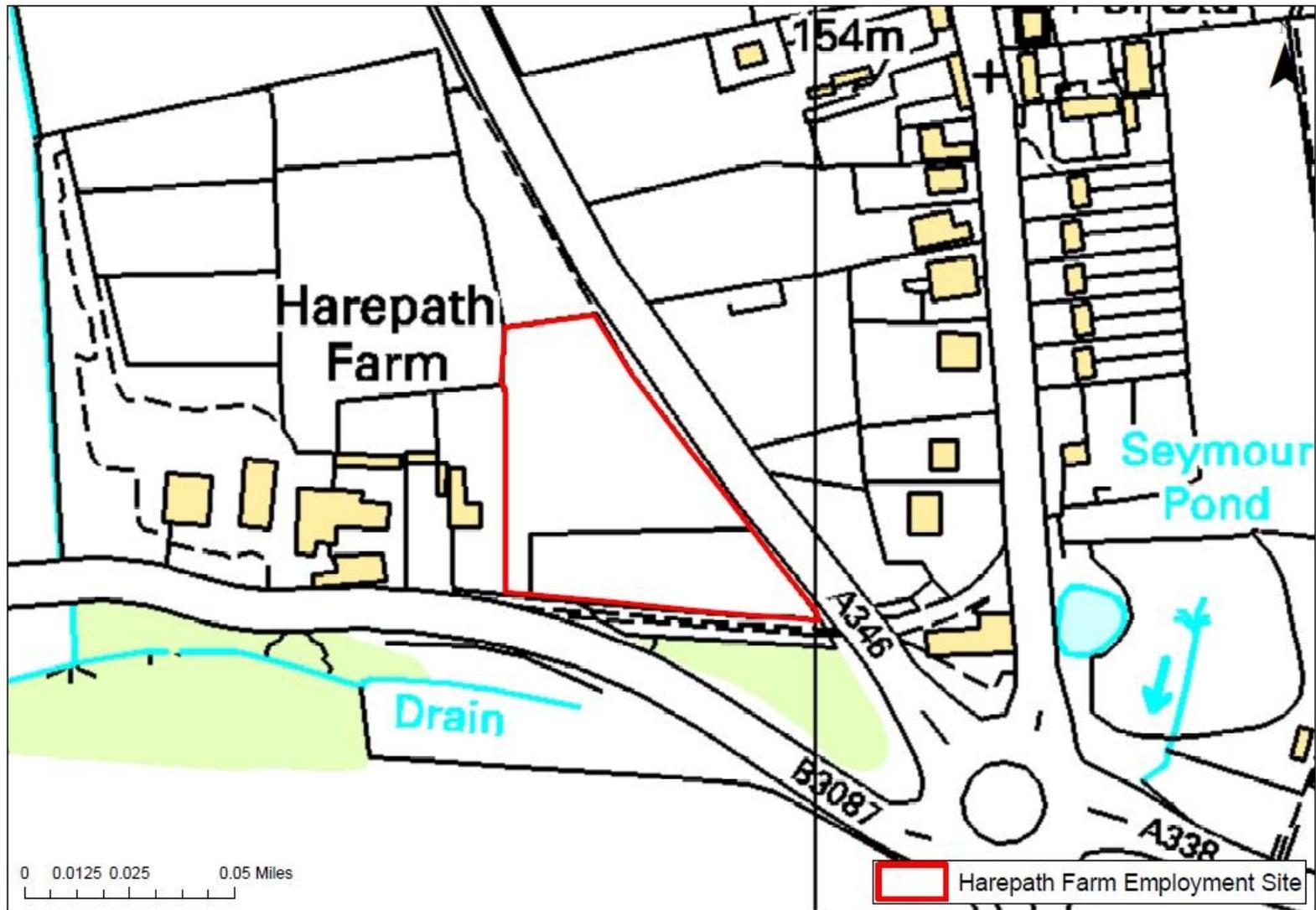


Figure 2: Change 19