

# **CALNE COMMUNITY NEIGHBOURHOOD PLAN 2016 - 2026**

**The Report of the Independent Examiner to Wiltshire Council on the Calne  
Community Neighbourhood Plan**

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26<sup>th</sup> September 2017**

## Summary

I was appointed by Wiltshire Council, in agreement with the Calne Town and Calne Without Parish Councils, in June 2017 to undertake the Independent Examination of the Calne Community Neighbourhood Plan.

The Examination has been undertaken by written representations. I visited the Neighbourhood Area on 28<sup>th</sup> July 2017.

The Neighbourhood Plan proposes a local range of policies and seeks to bring forward positive and sustainable development in the Calne Community. There is an evident focus on safeguarding the very distinctive character of the area whilst accommodating future change and growth.

The Plan has been underpinned by extensive community support and engagement. The social, environmental and economic aspects of the issues identified have been brought together into a coherent plan which adds appropriate local detail to sit alongside the Wiltshire Core Strategy.

Subject to a series of recommended modifications set out in this Report I have concluded that the Calne Community Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.

I recommend that the referendum should be held within the Neighbourhood Area.

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## **Introduction**

This report sets out the findings of the Independent Examination of the Calne Community Neighbourhood Plan 2016-2026. The Plan was submitted to Wiltshire Council by Calne Town and Calne Without Parish Councils in their capacity as the 'qualifying body' responsible for preparing the Neighbourhood Plan.

Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently incorporated within the National Planning Policy Framework (NPPF) in 2012 and this continues to be the principal element of national planning policy.

This report assesses whether the Calne Community Neighbourhood Plan is legally compliant and meets the 'basic conditions' that such plans are required to meet. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text. This report also provides a recommendation as to whether the Calne Community Neighbourhood Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Calne Community Neighbourhood Plan would then be used in the process of determining planning applications within the Plan boundary as an integral part of the wider development plan.

## **The Role of the Independent Examiner**

The Examiner's role is to ensure that any submitted neighbourhood plan meets the legislative and procedural requirements. I was appointed by Wiltshire Council, in agreement with the Calne Town and the Calne Without Parish Councils, to conduct the examination of the Calne Community Neighbourhood Plan and to report my findings. I am independent of both the Wiltshire Council and the Calne Town and Calne Without Parish Councils. I do not have any interest in any land that may be affected by the Plan.

I possess the appropriate qualifications and experience to undertake this role. I have over 40 years' experience in various local authorities and third sector bodies as well as with the professional body for planners in the United Kingdom. I am a Chartered Town Planner and a panel member for the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). I am a member of the Royal Town Planning Institute.

In my role as Independent Examiner I am required to recommend one of the following outcomes of the Examination:

- the Calne Community Neighbourhood Plan is submitted to a referendum; or
- the Calne Community Neighbourhood Plan should proceed to referendum as modified (based on my recommendations); or
- the Calne Community Neighbourhood Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. If recommending that the Neighbourhood Plan should go forward to referendum, I must then consider whether or not the referendum area should extend beyond the Calne and Calne Without Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004;

- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 Act (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

These are helpfully covered in the submitted Basic Conditions Statement and, subject to the contents of this Report, I can confirm that I am satisfied that each of the above points has been properly addressed and met. However, it would be helpful if the Statement consistently included reference to relevant confirmations by others, particularly since in this instance consultation on mineral and waste matters has necessarily extended to Hampshire as well as Wiltshire local authorities.

**Recommendation 1:**

*In the Basic Conditions Statement add to para 4: ‘This has been confirmed where appropriate by Wiltshire Council and Hampshire County Council’; correct para 3 by removing the reference to “GANP”.*

In undertaking this examination I have considered the following documents:

- Calne Community Neighbourhood Plan as submitted
- Calne Community Neighbourhood Plan Basic Conditions Statement (with Appendices)
- Calne Community Neighbourhood Plan Consultation Statement (with Appendices and Supplements)
- Scoping Report for the Sustainability Appraisal (SA) of the Calne Community Neighbourhood Plan (March 2015)
- [Housing] Site appraisal for the Calne Community Neighbourhood Plan (February 2016)
- Calne Community Neighbourhood Plan Habitats Regulations Screening Statement (November 2016)
- Sustainability Appraisal for the Calne Community Neighbourhood Plan (March 2017)
- Calne Community Neighbourhood Plan Submission Plan Evidence Base Links
- Content at [www.calne.gov.uk/Neighbourhood-Plan](http://www.calne.gov.uk/Neighbourhood-Plan) and [www.calne.gov.uk/Masterplan.aspx](http://www.calne.gov.uk/Masterplan.aspx)
- Representations made to the Regulation 16 public consultation on the Calne Community Neighbourhood Plan
- Wiltshire Core Strategy (January 2015) and the saved policies from the North Wiltshire Local Plan
- National Planning Policy Framework (March 2012)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (March 2014 and subsequent updates)
- The Ministerial Planning Update Statement (March 2015)
- The Neighbourhood Planning Written Statement HCWS346 (December 2016)

I carried out an unaccompanied visit to the Plan area on 28<sup>th</sup> July 2017. I looked at Calne, Derry Hill, Studley and Lower Compton and their rural hinterland. I also viewed the character of the two Conservation Areas and all the various sites and locations identified in the Plan document.

The legislation establishes that, as a general rule, neighbourhood plan examinations should be held without a public hearing, by written representations only. Having considered all the information before me, including the representations made to the submitted plan which I felt made their points with clarity, I was satisfied that the Calne Community Neighbourhood Plan

could be examined without the need for a public hearing and I advised Wiltshire Council accordingly. The Council and the Qualifying Body have provided me with background material and a few extra facts to meet my needs, as shown on the Wiltshire Council neighbourhood planning website for the Calne Community Neighbourhood Plan.

### **Calne Community Neighbourhood Area**

A map showing the boundary of the Calne and Calne Without Neighbourhood Area is provided on page 20 of the Neighbourhood Plan. Further to an application made by Calne Town and Calne Without Parish Councils, Wiltshire Council approved the designation of Calne Community as a Neighbourhood Area on 6<sup>th</sup> May 2014. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G(1) of the Town and Country Planning Act 1990 (as amended).

I note three matters here that need attention. There is a discrepancy between the Area designation date recorded at paragraph 26 in the Plan document and the date shown on the Wiltshire Council website (but I note that the date in the Consultation Statement accords with the website); the website shows the designation date as 6<sup>th</sup> May 2014; I believe it would be helpful to provide a reference link to the website page: <http://www.wiltshire.gov.uk/calne-and-calne-without-designation-approved-v2.pdf>.

The Legend for the Neighbourhood Area map shows a single entry but on the map there are apparently two outlines which give rise to ambiguity as to what is included and excluded; as there is a single Neighbourhood Area there should be a single, outer boundary shown.

#### **Recommendation 2:**

*In relation to the designation of the Calne and Calne Without Neighbourhood Area:*

- *correct the designation date shown at para 26 and provide a webpage reference to the designation decision;*
- *on page 20 use the titles that match with those used in the document as a whole – ‘Calne Community Neighbourhood Plan’ and ‘Calne and Calne Without Neighbourhood Area’ – and relate the title to the map along these lines: The Calne Community Neighbourhood Plan relates to the designated Calne and Calne Without Neighbourhood Area;*
- *amend the map on page 20 to show the single designated Area.*

### **Consultation**

In accordance with the Neighbourhood Planning (General) Regulations 2012, the qualifying body has prepared a Consultation Statement to accompany the Plan. This records that a Neighbourhood Plan Steering Group was delegated by the Town and Parish Councils to progress the plan-making. The Steering Group has reported back to the qualifying body at all decision-making points and that is shown in the records of the meetings of the Town & Parish Councils.

It is clear that community involvement has been at the heart of the Plan’s production and the decision that the Plan should cover the Parish and Town areas together has benefitted the plan making. The summary in the Plan and the Consultation Statement itself show a varied and extensive approach to community engagement and a range of formal and informal approaches and media has been used to invite and obtain participation. I note in particular that during 2014 some 7 engagement events were held, including a launch event in October. During 2015 a further 5 events were held addressing the potential options for the Plan, as well as an on-line questionnaire and two structured drop-in sessions organised by independent consultants. Additional consultation was undertaken in 2016 on housing site options. The draft Plan consultation commenced in November 2016 and comments received were noted and addressed, as recorded in the Consultation Statement and its supplements. The representation from Wiltshire Council raises a question as to whether the record of

consultation is as complete as it should be in relation to submissions from individuals; I am satisfied that the draft Plan was properly reviewed in the light of submissions and that the Regulation 16 Consultation has provided a further opportunity for everyone to make their contribution, reiterating points if needs be.

Overall, the degree of commitment by all participants illustrates the potential of neighbourhood planning to give “communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need” (para 183, National Planning Policy Framework). From all the evidence provided to me for the Examination, I can see that an inclusive and comprehensive approach has been taken to obtaining the input and opinions of all concerned throughout the process. Comments were pro-actively sought and those received were duly considered. I can see that there has been a documented record of the ways that consultation has benefitted the Calne Community Neighbourhood Plan. I am therefore satisfied that the consultation process accords with the requirements of the Regulations.

### **Representations Received**

Consultation on the submitted Plan, in accordance with Neighbourhood Planning Regulation 16, was undertaken by Wiltshire Council from Monday 27<sup>th</sup> March 2017 to Thursday 11<sup>th</sup> May 2017. I have been passed representations – 27 in total - received from the following:

- Historic England
- Mr Robert MacNaughton
- Ms M Norrington
- Wiltshire Council
- Ms Margaret Haines
- Mr & Mrs Roger & Patricia Appleby
- Rocke Associates Ltd on behalf of Bowood Estate
- Mr Chris Edge (3 comments)
- Mr Ian Thorne
- Gladman Developments
- Mrs Ruthie Holbrook
- Mr Nick Adams
- Pegasus Group on behalf of Robert Hitchens Ltd
- Mrs Natasha Webb on behalf of Hampshire County Council
- Mrs Janet Payne
- Ms Marjorie Buckeridge
- Ms Alison Cawkwell on behalf of Calne Town Council
- Mr Adrian Brabazon
- The Environment Agency
- Wessex Water
- Tetlow King Planning on behalf of Greensquare Group Ltd
- Mr John Boaler on behalf of Calne Labour Party
- WYG on behalf of Sainsbury's Supermarkets Ltd
- Mr Stephen Baimbridge
- Southern Water.

## The Neighbourhood Plan

The Calne Town Council and Calne Without Parish Council are to be congratulated on their extensive efforts to produce a Neighbourhood Plan for their area that will guide development activity over the period to 2026. It is evident that the Town and Parish Councils coming together to produce a Plan jointly has benefitted the ambition and purpose of the Plan. I can see that a sustained effort has been put into the dialogue with the Calne communities to arrive at actions and policies that can help to ensure that, in the period to 2026, the Plan will “build on the area’s character and enhance its future through managing the growth of the town and villages”. The Plan document is well presented with a combination of images and text that is engaging for the reader and, subject to the specific points that I make below, set out in appropriate and clearly themed sections. The Plan has generally been kept to a manageable length by not overextending the potential subject matter and the coverage of that; I will address at the appropriate points the issues arising from duplication of Core Strategy content.

The wording of content & Policies is not always as well-expressed as one might wish, but that is not uncommon in a community-prepared planning document and something that can readily be addressed. It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of Policy, it is part of my role wherever possible to see that the community’s intent is sustained in an appropriately modified wording for the policy. It is evident that the community has made positive use of “direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area” (PPG paragraph: 001 Reference ID: 41-001-20140306). It is evident that the Qualifying Body understands and has addressed the requirement for sustainable development.

Having considered all the evidence and representations submitted as part of the Examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It works from a positive vision for the future of the Neighbourhood Area and promotes policies that are proportionate and, subject to some amendment, sustainable. The Plan sets out the community needs it will meet whilst safeguarding Calne Community’s distinctive features and character. The plan-making had to find ways to reconcile the external challenges that are perceived as likely to affect the area with the positive Vision agreed with the community. All such difficult tasks were approached with transparency and care, with input as required and support from partners and Wiltshire Council.

However, in the writing up of the work into the Plan document, it is often the case that the phraseology is imprecise, not helpful, or it falls short in justifying aspects of the selected policy, and I have been obliged to recommend modifications so as to ensure both clarity and meeting of the ‘basic conditions’. In particular, Plan policies as submitted may not meet the obligation to “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). I bring this particular reference to the fore because it will be evident as I examine the policies individually and consider whether they meet or can meet the ‘basic conditions’.

Additionally, the evidence and context from which the Plan is built needs to be appropriately source referenced throughout, in keeping with the authority that attaches to all development plan documents (and to allow for them to be used effectively). I will address the source referencing at each point within the Plan document that an issue arises.

## **Basic Conditions**

The Independent Examiner is required to consider whether a neighbourhood plan meets the “basic conditions”, as set out in law following the Localism Act 2011. In order to meet the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

The submitted Basic Conditions Statement has very helpfully set out to address the issues in the same order as above and, where appropriate, has tabulated in Appendices the relationship between the policy content of the Plan and its higher tier equivalents.

I have examined and will below consider the Neighbourhood Plan against all of the Basic Conditions above, utilising the supporting material provided in the Conditions Statement and other available evidence as appropriate.

## **The Plan in Detail**

I will address the aspects of the Neighbourhood Plan content that are relevant to the Examination in the same sequence as the Plan. Recommendations are identified with a bold heading and italics and I have brought them together as a list at the end of the Report.

### **Front cover**

A neighbourhood plan must specify the period during which it is to have effect. I note that there are clear references to the period 2016 – 2026 on the inside pages whereas the front cover gives prominence only to the submission date.

#### ***Recommendation 3:***

*Amend the front cover to include and give prominence to the Plan period.*

### **Foreword**

The Foreword needs to be brought up to date and reviewed to bring it into the present tense. The references in paragraphs 5 & 6 to a “parish referendum” need to be corrected; it is part of the Independent Examiner’s role to determine the scale at which it is appropriate to hold the referendum.

#### ***Recommendations 4 & 5:***

*Revisit, update and revise the Foreword.*

*Amend the references in paras 5 & 6 of the Foreword to a “parish referendum” to read simply ‘referendum’.*

### **Introduction**

Para 2 as written is not strictly accurate about the determination of planning applications; one has to wait until para 7 for the detail to be complete. A representation has drawn attention to this requesting correction.

#### ***Recommendation 6:***

*Reword para 2 sentence 2 of the Introduction along these lines:*

*'Wiltshire Council will determine planning applications within Calne and Calne Without in accordance with the Development Plan, which includes the Neighbourhood Plan, unless material considerations indicate otherwise (see [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#)).'*

Whilst I can appreciate that during the consultation processes some guidance on the meaning of 'sustainable development' was helpful, within the development plan the term has the meaning set down in the NPPF and related Guidance. Para 9 is therefore potentially confusing and should now be omitted.

**Recommendation 7:**

*Delete para 9 of the Introduction and renumber subsequent paragraphs.*

Para 10: Particularly given the national policy context, it is helpful to address the issue of sustainable development in the introductory paragraphs. However, this is also a useful point to cross-reference to the Basic Conditions Statement accompanying the Plan.

**Recommendation 8:**

*In para 10 add a cross-reference to the Basic Conditions Statement along these lines: 'More detail on the ways in which this Plan addresses sustainable development is included within the Basic Conditions Statement that accompanies the Plan.'*

**The Development Plan**

**Relationship to the Wiltshire Core Strategy**

Para 19: the representation from Wiltshire Council seeks to correct the phrasing and reference used in this paragraph relating to Wiltshire documents. Another representation also drew attention to the need for updating and requesting correction.

**Recommendation 9:**

*In para 19 replace the final sentence with: 'However, piecemeal development has exceeded the housing numbers set out in the Wiltshire Core Strategy (January 2015) and there is no longer an indicative housing requirement in Calne Town or in the Calne Community Area remainder areas and therefore no requirement for this Plan to allocate sites for housing (see [Wiltshire Council Housing Land Supply Statement dated March 2017](#)).'*

**Designation of the Neighbourhood Plan Area**

As noted earlier, the reference to the designation date in para 26 and the related illustration map on page 20 need to be corrected.

**Objectives**

Given that the objectives have been derived from extensive inter-action with the community, para 50 would be a useful point to cross refer to the Consultation Statement that accompanies the Plan.

**Recommendation 10:**

*At the end of para 50, add a cross-reference to the Consultation Statement along these lines: 'More detail on the ways in which these Objectives have been derived is included within the Consultation Statement that accompanies the Plan.'*

A representation comments: "Objective B of the Neighbourhood Plan refers to 'enhancing the appearance and historic character of the Conservation Areas'. This is not in accordance with national planning policy and is unsound as drafted. The National Planning Policy Framework (NPPF) requires that, in determining planning applications, local planning authorities make an assessment of the significance of the heritage asset and the impact of

development proposals, determining each on its merits.” I will return to this issue when the related Policy BE4 is considered but, as a brief statement of an objective for the Plan I consider the wording unobjectionable.

### **Policy Delivery of Objectives**

The tabulation at para 51 is a helpful link between the Objectives and the policies that will make progress toward them; however the table needs to be reviewed in the light of the Plan modifications made as a result of my Recommendations.

#### **Recommendation 11:**

*Review the content of the table at para 51 in the light of modifications made to the Plan prior to the Referendum.*

### **Housing & Infrastructure**

#### **Housing & Infrastructure Issues**

I believe that the second bullet point under this heading should more correctly say: ‘Recent growth has not been mirrored by infrastructure provision’.

#### **Recommendation 12:**

*Amend the second bullet point under the sub-heading ‘Housing & Infrastructure Issues’ to read: ‘Recent growth has not been mirrored by infrastructure provision’.*

### **Background**

There are two sub-headings of the same name, the distinction between the two seeming to be that the first relates to community data and the second to the housing requirements. I note also that at this point the continuous paragraph numbering is changed to a sub-section approach but without the sub-headings themselves being numbered (presumably because of potential confusion with the similarly numbered paragraphs in the earlier sections). I suggest that for clarity and simplicity of referencing (and amending) that the text paragraphs are continuously numbered from the beginning to the end of the Plan ie the presently numbered para 1.1 should become para 51.

#### **Recommendations 13 & 14:**

*Within the Housing & Infrastructure section, distinguish between the two ‘Background’ sub headings along these lines: ‘Background Community Data’ and ‘Housing Requirements’.*

*Adopt a common paragraph numbering system throughout the Plan document that allows the Plan content to be readily and confidently referenced.*

As noted earlier, the reference to the Wiltshire Council Housing Land Supply Statement should be updated to March 2017; the related tabulated content must be consistent with the March 2017 Statement and the terms used made consistent with those in the Core Strategy and in the Housing Land Supply Statement so as not to cause confusion.

#### **Recommendation 15:**

*In para 2.1 update the reference to the Wiltshire Council Housing Land Supply Statement to March 2017. Update as required and amend the table at paragraph 2.1 to refer, in the first column, to ‘Calne Community Area remainder’ instead of ‘Remainder of Core Strategy Calne Area’ and in the note underneath this table to ‘The Calne Community Area remainder covers.....’*

Para 2.2: since the figures in this paragraph do not derive from the table above, the source reference needs to be provided either at the end of the paragraph or as a footnote.

**Recommendation 16:**

*In para 2.2 add the source reference for the housing growth figures quoted (not least to provide the housing numbers from which the percentage figures as used are derived).*

Para 2.3, first bullet point: to be accurate the benefit of the housing itself ought to be acknowledged here. The quotations from the Wiltshire Core Strategy should be suitably referenced.

**Recommendations 17 & 18:**

*Para 2.3, first bullet point: add to the second sentence ‘....beyond the housing itself.’*

*Para 2.3, first bullet point: add following the two quotations from the Wiltshire Core Strategy, respectively, ‘para 5.39’ and ‘para 5.41’.*

Para 2.3, third bullet point: the Air Quality Management Area documentation needs to be source referenced. The most relevant document for Calne would be the local Action Plan; I note that this identifies a ‘top priority’ for action.

**Recommendation 19:**

*Para 2.3, third bullet point: add after ‘Air Quality Management Area’ the reference [www.wiltshireairquality.org.uk/air-quality/air-quality-management-areas](http://www.wiltshireairquality.org.uk/air-quality/air-quality-management-areas); replace the final sentence with: ‘The Calne Air Quality Action Plan (August 2016 [www.wiltshireairquality.org.uk/reports](http://www.wiltshireairquality.org.uk/reports)) identifies as its top priority “to reduce the number of motor vehicles, especially HGVs, which pass through the Calne Air Quality Management Area wherever possible”.’*

**Housing Site Allocation**

Para 3.3: the source for the policy support provided within the Wiltshire Core Strategy needs to be referenced.

**Recommendation 20:**

*Add to para 3.3: ‘Wiltshire Core Strategy Policies CP1 & CP2 provide the bases on which the settlement strategy will be progressed.’*

Para 3.4: the source for the policy support provided within the Wiltshire Core Strategy needs to be referenced.

**Recommendation 21:**

*Add to para 3.4: ‘The Wiltshire Core Strategy at para 4.33 acknowledges: “Neighbourhood Plans should not be constrained by the specific housing requirements within the Core Strategy and additional growth may be appropriate and consistent with the Settlement Strategy (Core Policies 1 and 2)”. But further it is stated (para 4.17): “Proposals for improved local employment opportunities, housing growth (over and above that allowed by this Core Strategy) and/or new services and facilities outside the defined limits of development will not be supported unless they arise through community-led planning documents, such as neighbourhood plans, which are endorsed by the local community and accord with the provision of this plan”.’*

Para 3.7: since the site selection process has relied extensively on the report from independent consultants that needs to be appropriately cross-referenced.

**Recommendation 22:**

*Add to para 3.7, either as a reference or a footnote:*

*[Site Appraisal for the Calne Community Neighbourhood Plan, AECOM Feb 2016](#)*

Para 3.10: the map attaching to this paragraph on the Plan copy provided to me is virtually illegible; at the very least a website source reference for the map should be provided as the options were a core part of the consultative process.

**Recommendation 23:**

*Improve and/or source reference the map used to illustrate para 3.10.*

**Policy H1 – Housing Allocation**

The primary purpose of Policy H1 is to allocate land for housing, in this instance on land outside the settlement boundary for Calne in a manner authorised in the Wiltshire Core Strategy. Generally it would be vital for the land allocation to be accompanied by criteria defining the bases on which acceptable proposals should be prepared. However, in this instance, development proposals have preceded the completion of the Plan Examination and, to avoid any confusion, the Policy can cross-refer to the consents already granted.

**Recommendation 24:**

*Delete the map below the Policy and reword Policy H1 (text in red) as: 'Approximately 20ha of Land North of Low Lane, Calne – as identified on Policies Map 4 - is allocated for housing development within the terms of the extant planning consents 14/11179/OUT, 16/12380/REM and 17/00679/OUT'.*

As reworded Policy H1 meets the Basic Conditions.

Several of the representations received relate to the allocation of the housing site through Policy H1. Agents on behalf of the owners of the site comment that they “have undertaken additional work and have now identified that the [the combined sites have] capacity for a greater number of dwellings and an allocation for 250 dwellings therefore understates the capacity of the site and does not reflect the NPPF which requires that land is used effectively”. The Policy as now reworded above relates to the planning consents actually granted which together provide for 295 dwellings; although not within Policy H1, the text box relating to the description of the allocated site ought to be brought in line (and since no other site is allocated the title of this box can be simplified).

**Recommendation 25:**

*Amend the information text box regarding the allocated site to show a title of 'Land North of Low Lane, Calne' and under Capacity: '295 dwellings across the whole site'.*

A representation on behalf of GreenSquare Group Ltd suggests that a site in their ownership, land to the south of Castle Walk, had been disadvantaged in the site selection process by out of date or incorrect information being used and not appropriately corrected when the consultation processes allowed. I note from the Consultation Statement that the Steering Group met with a representative of GreenSquare in March 2015 to discuss more than one site. Fundamentally however, a selection process was required and the decision to exclude a large number of potential sites was both necessary and not a marginal one; sites were identified of the size being sought that were relatively free from constraints and could be shown likely to fulfil sustainability criteria (subsequently confirmed through the SEA), and in those circumstances no iterative process was likely to give any additional benefit. Since the process was conducted independently of the Steering Group and the results made public for scrutiny there can be reasonable confidence that fair consideration was given to a large number of sites with potential and that a clear justification was provided for recommended selections at each stage. The site in question did not reach the 7 (from 24) sites for final selection – and, it must be noted, even after an Appeal hearing, the site at issue has not been considered suitable for housing on the basis of pre-Neighbourhood Plan policies (planning application 16/04507/FUL).

A representation on behalf of Historic England comments: “In our response on the Regulation 14 consultation we highlighted the desirability of further evidence to substantiate the allocation and specific provisions for housing of Policy H1 – Land North of Low Lane .... Regrettably we do not consider that [the amendments subsequently made] constitute ‘appropriate’ evidence and consequently our previous comments remain extant. We recommend that this matter is addressed in order that the Plan can demonstrate the requisite level of conformity with local and national planning policy”. I take some reassurance from the Reg14 submission itself which opens with a confirmation that “This side of the town beyond its built up envelope contains very few designated heritage assets and we are comfortable in principle with the rationale for the selection of this site”. But I must agree that, generally, whether for reasons of brevity or lack of confidence, the Plan document is cavalier with its limited justifications and supporting evidence for policy content. In relation to Policy H1 the matter at issue has been resolved through another route with the Local Planning Authority considering its own report on the merits of the site and concluding that a planning consent be granted. But it would have been wise for the thrust of the Historic England comment to have been heeded prior to the submission version of the Plan being finalised.

A representation on behalf of Bowood Estates raises an objection to the site allocation provisions of the plan “since they do not include the allocation of land at South-West Calne for housing and associated community benefits” although the “strategy of the [Calne Community Neighbourhood Plan] CCNP to bring forward developments beyond strategic allocations that can deliver real community benefits is ... supported and considered to be sound”. The basis of the objection is further explained: “allocation of suitable sites should be made through the CCNP not only if they offer the potential to bring forward much needed community infrastructure, but also to ‘future-proof’ the community against further opportunistic sites being released to remedy a deficit in a County-wide housing land supply and which do not deliver associated community benefits”. Following a reflective critique of the site selection process for the Plan, the summary objection is given as: “If a choice is to be made between the two preferred options, then the evidence overwhelmingly supports the allocation of Land at South West Calne ... ahead of the currently allocated site north of Low Lane. However, the overall weight of advantage in terms of community benefits may be in allocating both sites. If both sites were allocated, the CCNP would remain in conformity with the WCS and its development strategy, greater housing needs (in particular for affordable housing and starter homes) could be provided for, and the community would have greater control over its own destiny by having in place a development plan framework that is more resilient to resisting opportunistic sites brought forward to meet housing land supply shortfalls arising from elsewhere in the County, unaccompanied by any particular local community benefits”.

As the Examiner my role is to consider whether the original Policy intention, as now reworded, meets the Basic Conditions and in this regard I note:

- As confirmed by Wiltshire Council, there was no obligation for the Plan to allocate any additional sites.
- The additional site here selected and allocated now has a planning consent.
- On the matter of the process adopted for site selection it is always possible to argue that should a different weight or aspect be given to a certain factor it would suggest another site might be selectable or preferable, but the input from the community has been considerable and productive and, subject to the outcome of the referendum, conclusive; community prioritising is a key hallmark of neighbourhood planning.
- From my understanding of the site selection undertaken, nothing in the representations has convinced me that the process used to inform the final choice of site for allocation was flawed or so badly flawed that the Plan fails to comply with the basic conditions. Indeed the representation suggesting that two sites should have been selected rather than one, effectively confirms the sustainability credentials of

the selected site. The test is whether the proposed site allocation represents sustainable development not whether some alternative might, perhaps with an adjustment to factors considered, be somehow more sustainable.

- I can see that the site selection process had regard to the consultation input on community benefits (Q: If more housing development takes place in Calne and Calne Without, what facilities do you think the area needs?) as analysed in the report dated Summer 2015.
- Planning Practice Guidance (ref: 41-009-20160211) says: “Neighbourhood plans should consider ..... allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan”. Thus the Calne Community Plan can be seen to be following good practice.
- [The Neighbourhood Planning Written Statement HCWS346](#) (December 2016) offers some comfort to the community since it seeks to “protect communities who have worked hard to produce their neighbourhood plan and [who might then] find the [local] housing supply policies are deemed to be out-of-date through no fault of their own”.
- There is an appropriate commitment within the Plan to keep it under review.

My conclusion is therefore that the community, having “recognised that the pressure for new development in the area is likely to continue and the Neighbourhood Plan should [extend to covering] that possibility”, went through a rational and transparent selection process to allocate a preferred, sustainable site with community benefits. The merits or otherwise of the proposal from Bowood Estates is beyond my remit. I re-confirm, as above, that the Basic Conditions have been met.

### **Policy H2 - Affordable Housing Provision**

The pre-ambles to Policy H2 illustrate how quickly the vital data to support policies can become dated and change; better to acknowledge this within the Policy so that proposals are always responding to the most current information. Also, because circumstances change, the Policy must acknowledge the issue of viability as allowed for within Wiltshire Core Policy 43.

The representation from Wiltshire Council relating to Policy H2 says: “It is considered that this neighbourhood plan could introduce an affordable housing requirement in policy that is in accordance with the lower threshold in the Core Strategy policy, and this may be something that requires further consideration. Paragraphs 4.2 - 4.3 show evidence of a high and increasing demand for affordable homes in the area and it is considered that where a neighbourhood plan shows evidence of demand for affordable housing, there is justification for requiring the lower threshold in Core Strategy policy”. This is supported by the representation from Gladman: “Whilst the requirement set out in the CNP follows the approach set out in the PPG and the latest Written Ministerial Statement, Gladman contend that the plan does not provide sufficient evidence to depart from Core Policy 43”.

But other representations comment that since the adoption of the Wiltshire Core Strategy in January 2015, national guidance changed on 16<sup>th</sup> November 2016, such that affordable housing should not be sought on schemes of 10 dwellings or less, as set out in the Planning Guidance (Paragraph: 031 Reference ID: 23b-031-20161116). They assert that the Neighbourhood Plan takes the correct approach and conforms with the latest published Guidance and seeks affordable housing only on schemes of 11 or more dwellings.

It is evident that Policy H2 cannot readily both ‘have regard to national policies and advice contained in guidance issued by the Secretary of State’ whilst also being ‘in general conformity with the strategic policies of the development plan for the area’ since these

presently set down different requirements. Since there is no obligation to have absolute conformity with either, an evidenced case might be presented for a very specific policy approach to be applied within the Neighbourhood Area which demonstrates both appropriate 'regard' and 'general conformity' and is appropriate to the delivery of sustainable development; however, I am not presented with any "proportionate evidence" (Planning Guidance Paragraph: 040 Reference ID: 41-040-20160211) to suggest that this should be the case for the Calne Community Neighbourhood Plan. In particular since the national guidance stems from a concern for the viability of smaller housing sites, evidence would need to address that aspect. My conclusion therefore is that the Neighbourhood Plan has taken the correct approach in showing regard for the national guidance (which follows the order of the Court of Appeal dated 13<sup>th</sup> May 2016).

**Recommendation 26:**

*Reword Policy H2 as:*

*'Proposals for residential development consisting of eleven or more dwellings will be required to include an affordable housing element subject, where appropriate, to the assessed viability of the development. The requirement is for at least 30% Affordable Housing but proposals must consider and address the current evidence of housing need; the mix of affordable housing may vary site-by-site on the basis of the evidence but will approximate to 60% affordable rented and 40% shared ownership.'*

As reworded Policy H2 meets the Basic Conditions.

**Policy H3 – Housing Mix**

As with Policy H2 above, requirements' data can quickly become out of date and the Policy must acknowledge its 10 year span. No supporting evidence is provided to show why self-build housing might be exceptional in its potential to "impact adversely on the surrounding area"; it will be sufficient for this Housing Mix Policy to operate in conjunction with Wiltshire Core Policy 57: Ensuring high quality design and place shaping. The fourth element in the Policy relates to design rather than housing mix and is already addressed in Wiltshire Core Policy 45.

**Recommendation 27:**

*Reword Policy H3 as:*

*Development proposals should include a suitable mix of dwelling sizes informed by and addressing the current and demonstrable needs for the community within which the site is located in accordance with Core Policy 45. The range is likely to include 1 & 2 bedroom small homes, larger 3 & 4 bedroom family homes, executive housing and affordable housing. Specific consideration should be given to the inclusion of bungalows and other types of accommodation suitable for people who are elderly and/or disabled. Specific consideration should also be given to the inclusion of plots for self-build houses.*

As reworded Policy H3 meets the Basic Conditions.

**Policy H4 – Sustainable Design**

The pre-amble to Policy H4 is not referenced and lacks specific detail related to the Calne Community Area. [The Ministerial Statement of March 2015](#) was clear that "local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Homes to be achieved by new development". Whilst I can see that the second element of Policy H4 is not expressed as a 'requirement', it lacks any detail sufficient to "provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency" (NPPF para 17). Core Policy 57

already addresses the aspect of 'ensuring high quality design and place shaping'. Accordingly and to avoid any confusion on the matter, Policy H4 should be deleted as I cannot devise suitable wording that would allow the Basic Conditions to be met.

**Recommendation 28:**

*Delete paras 6.1 & 6.2 and Policy H4; renumber subsequent Policies and any cross-references and amend the Contents page accordingly.*

**Policy H5 - Settlement Boundaries and Housing Sites**

It is entirely understandable that the local community should feel resentment at the manner in which new housing sites have been decided by default because the forward supply of housing numbers has been shown to be inadequate. As noted earlier, [The Neighbourhood Planning Written Statement HCWS346](#) (December 2016) offers some comfort to the community since it seeks to recognise and “protect communities who have worked hard to produce their neighbourhood plan and [who might then] find the [local] housing supply policies are deemed to be out-of-date through no fault of their own”. Undoubtedly the best defence against speculative proposals is provided by Plan Policy H1 since this extends the future provision for housing significantly beyond current needs. What may be substantially less helpful are apparently arbitrary policy provisions that a prospective developer might overthrow at a first challenge.

Representations have been made regarding Policy H5. Wiltshire Council notes that Policy H5 only permits small residential sites of up to 5 dwellings within the existing boundary of Calne or the villages within Calne Without. This they consider to be “far too restrictive and too low to allow for any meaningful redevelopment or regeneration sites that may come forward, particularly in Calne, given its status as a Market Town and considering that the Calne Town Centre Masterplan is supporting a large regeneration site in the centre of Calne that will include housing sites of more than 5 dwellings. Core Policy 2 of the Wiltshire Core Strategy has a presumption in favour of sustainable development within the settlement boundaries of Market Towns and sustainable development should not be restricted to up to 5 dwellings in a town where town centre regeneration is recognised as being important.” Particularly having regard to the content of the Town Centre section of the Neighbourhood Plan there would appear to be a significant basis for their concern but you have explained that there was no intention to restrict town centre housing provision. Your understanding had been that, as the town centre uses would be expected to be ‘mixed use’, they would fall outside the jurisdiction of a housing policy such as H5; but ‘mixed use’ can be achieved in a number of different configurations and scales.

Another representation comments: “Policy H5 as [re-]drafted, now precludes any development outside of the settlement boundaries other than on allocated sites. Such a policy will become instantly out-of-date following the expected review of the Wiltshire Core Strategy (which will include a reassessment of housing needs), which is likely to require additional development at Calne. It will therefore serve to constrain sustainable development in the medium-term. [This] will therefore jeopardise the longevity of the Neighbourhood Plan as well as being contrary to one of the basic conditions.” The same representation also says: “This significant change has not been subject to any consultation”; but this is puzzling since the comment has been made as part of an open and formal consultation. My view, as noted above, is that the Calne Community Plan can be seen to be following good practice in allocating housing land beyond the immediate numerical requirement; it cannot be expected to anticipate the outcome of a review yet to be completed. Further, the Plan acknowledges and accepts that windfall developments will occur and make a contribution to meeting housing requirements.

One of the Core Planning Principles on which the NPPF builds (para 17) acknowledges that planning should “take account of the different roles and character of different areas,

promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it". Neighbourhood Plans may therefore look at settlements in individual detail and this is one of their core strengths. It is puzzling therefore that Policy H5 seeks to set a small residential site standard across all communities regardless of their different intrinsic characters.

The Basic Condition at issue is whether Policy H5 "is in *general* conformity with the strategic policies of the development plan for the area" (my *emphasis* added). What is also at issue is whether Policy H5 has been worded with a rounded regard for the consequences of its application, particularly in relation to the Calne Town Centre and the small villages.

The pre-amble to Policy H5 says (with some confused wording) that "the Neighbourhood Plan only seeks to allow for small-scale windfall housing schemes to allow for a balance between growth and provision of infrastructure, services and facilities to be re-balanced". However the effect of the Policy is not to restrict the absolute numbers of additional houses through 'windfall development' but rather to split these into small groups; neither the scale of "5 dwellings" nor its claimed benefits for infrastructure nor its universal application are provided with any justification. Arguably the approach may restrict rather than assist the physical and financial opportunities to renew or extend the infrastructure within Calne that is said to be of concern; since the Town Centre Masterplan is still work in progress it is apparent that the potential cross-over between related policies has not been fully considered.

In the Core Strategy Calne is identified as a Market Town and (CP1) "Market Towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities". The thrust of the approach is therefore that Calne is amongst the locations where sustainable development and redevelopment is most readily achievable; such development within the built-up area will avoid or defer the need to extend the settlement boundary to incorporate greenfield land for development.

In contrast in relation to the villages of Calne Without, arguably sites as large as 5 dwellings may be less than ideal in relation to the scale and form of an existing settlement. I note that Policy H5 does not address the distinction in the Core Strategy between Small & Large Villages, but that distinction is important. The strategic context as provided at Core Policy 2 is restrictive:

"At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

- i) Respects the existing character and form of the settlement
- ii) Does not elongate the village or impose development in sensitive landscape areas
- iii) Does not consolidate an existing sporadic loose knit area of development related to the settlement."

Therefore, whilst seeking to restrict (one aspect of) the scale of developments within Calne, Policy H5 as written may encourage larger scale proposals within the small villages than would otherwise have been supported. You have commented that any infill sites within the small villages of Calne Without would be unlikely to be large enough to accommodate as many as 5 dwellings but where sites incorporate some redevelopment that may not hold true; it is safer to apply policies only where intended.

In relation to the Large Village of Derry Hill /Studley, you note that there is guidance within the Core Strategy text (para 4.15) providing a general signpost as to an appropriate scale of development at large villages: fewer than 10 dwellings ie not a major scheme. You have

argued that the 5 dwelling limit of Policy H5 is “within the Core Strategy CP1 limit of a maximum (*sic*) of 10 houses only on small housing sites (windfall); the [approach] was supported by the community to suit local circumstances; it’s primary impact would be to protect the character, nature and environments of the large villages of Derry Hill and Studley”. However, in the absence of supporting evidence as to justification, impact and deliverability I do not believe that incorporation of a specific limit within the Policy can be justified, but the principle behind the concern can be given policy support. Further, because of a real concern that element one of Policy H5 as written is likely to have perverse impacts, I must conclude that it does not provide “a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). However, you have suggested an alternative wording which, with minor modification, I believe provides a proportionate and therefore stronger way to address the issue of concern; the revised wording is shown below.

The second part of Policy H5 relates to the existing settlement boundaries. The representation from Gladman comments: “Gladman object to the use of settlement boundaries as this would preclude the delivery of sustainable development to meet the identified need. Gladman consider that the settlement boundary is tightly drawn as currently proposed and would actively restrict sustainable growth opportunities. This is against the objectives of the Framework which ... is clear that sustainable development should go ahead without delay in accordance with the presumption in favour of sustainable development”. However, the Neighbourhood Plan must achieve ‘general conformity’ with the Wiltshire Core Strategy which is clear (CP2) that: “Other than in circumstances as permitted by other policies within this plan .... development will not be permitted outside the limits of development, as defined on the policies map. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans.” Combined with other Core Strategy policies I believe that the containment sought in Policy H5 is already provided for with greater clarity within the Core Strategy. I note that the existing settlement boundaries for Calne and Derry Hill/ Studley are presently under review as part of the Wiltshire Housing Site Allocations Development Plan Document (DPD); pending the conclusion of that DPD it is appropriate that the Inset Maps within the Plan document maintain the boundaries shown within the Core Strategy.

***Recommendations 29 & 30:***

*Rewrite the second and third sentences of para 7.2 to read:*

*‘Given that the Calne Community area has already exceeded the housing requirements set out for it by the Core Strategy, the Neighbourhood Plan seeks to ensure that new windfall developments always have appropriate regard for the scale and character of the local community in which they are set.’*

*Delete para 7.4 and renumber the remaining paragraphs accordingly.*

*Reword Policy H5 as:*

*Small windfall housing proposals will be supported provided they:*

- *accord with the limits of development provisions of Core Policy 2, and*
- *have a capacity appropriate, both individually and cumulatively, to the size, role and function of the settlement or part of the settlement within which they are located, and*
- *consider and address their interaction with the surrounding area, and*
- *(excepting Calne Town Centre) have a direct highway frontage, and*
- *have a safe highway access.*

*In accordance with Core Policy 2, other than in circumstances as permitted by other policies within the development plan, development will not be permitted outside the limits of development, those limits being shown on the Policies Maps 2 & 4.*

As reworded Policy H5 meets the Basic Conditions.

### **Policy H6 - Developer Contributions and Community Infrastructure Levy Local Priorities**

Para 8.3 suggests that the purpose of Policy H6 is to set out the local priorities upon which to spend the 25% element of the Community Infrastructure Levy (CIL) that will be available locally. However, as this is a financial matter rather than a land use one, the content needs to be included within Section 2 of the Plan document. I note in passing that a representation comments: "The WCS objective to deliver new healthcare facilities at Calne is reflected in the objectives set out for the CCNP, which include the encouragement of high quality and accessible, *inter alia*, medical provision for all residents in line with growth in the area (para. 50). In the light of the above it is surprising that the community priorities for additional local facilities to be provided as a result of new development do not include improvement to healthcare facilities".

#### **Recommendation 31:**

*Move the content of paras 8.1 – 8.3 and the related Policy commitment to Section 2; renumber subsequent Policies and any cross-references and amend the Contents page accordingly.*

### **Policy H7 – Phasing of Development**

Whilst it is evident from the Plan consultations that the mismatch between growth and related infrastructure has been of significant community concern, it is not evident that Policy H7 as worded "provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency" (NPPF para 17). A representation notes: "The issues of phasing of development has been considered before in the Wellington Neighbourhood Plan Examiner's report ....The wording of the policy was considered in conflict with the presumption in favour of sustainable development in the Framework. Further, there was no clear mechanism to implement the phasing aspect of the policy".

Determinations as to what are "necessary" infrastructure and appropriate phasings will have to have regard to a significant range of factors and these may vary widely site by site. Further, to be effective, the policy would need to be expressed positively in terms of what is being sought rather than negatively in terms of an obstacle to gaining a permission. This can more readily be done for site specific allocations.

#### **Recommendation 32:**

*Reword Policy H7 as:*

*Development proposals must consider, assess and address their infrastructure requirements and plan the related programmes of work to ensure that these dovetail together and minimise any disruption to the community.*

As reworded Policy H7 meets the Basic Conditions.

### **Getting Around**

A representation has commented that "At the start of this chapter a number of issues are identified. The first suggests that additional housing will have a negative impact on the already congested road network. However, as acknowledged within the Neighbourhood Plan some residential developments can provide infrastructure with positive effects on road congestion". Whilst I agree that there is an apparent mismatch between the bullet points and

the subsequent policies, I see the role of the 'Issues' section to pick up on matters that the community would recognise from the consultation; the later text properly acknowledges that full mitigation may be possible.

### **Policy GA1 - Sustainable Transport**

This positively expressed policy has a sufficient clarity other than where the punctuation potentially confuses the clause structure.

#### **Recommendation 33:**

*Re-punctuate the second sentence of Policy GA1 as:*

*This should be achieved through maximising:*

- *the potential for cycling and walking throughout the site, and*
- *linkages, including bus connections, through to the relevant town or village centre, employment provision and services & facilities located elsewhere in Calne or Calne Without.*

As reworded Policy GA1 meets the Basic Conditions.

### **Policy GA2 – Highway Impact**

This positively expressed policy has a sufficient clarity but a more simply expressed opening paragraph would be helpful.

A representation points out that paragraph 32 of the Planning Guidance identifies that development can proceed so long as any residual negative impacts (after mitigation) are not severe.

#### **Recommendation 34:**

*Reword the opening paragraph of Policy GA2 as:*

*'Development proposals that detrimentally impact the highway network in terms of congestion and/or safety must include for the appropriate mitigation of these impacts by highway improvements and/or financial contributions for the measures required.'*

As partly reworded Policy GA2 meets the Basic Conditions.

### **Working & Shopping**

Given that the Town Centre Masterplan has not progressed to a point which has allowed for the definitive version to be incorporated within the Neighbourhood Plan, the retention of two sections of content relating to Calne Town Centre, largely overlapping, is unhelpfully confusing. I suggest that relevant content from the section headed 'Town Centre Masterplan' is subsumed within the sub-section of 'Working & Shopping' headed 'Calne Town Centre' since that gives it the appropriate context.

#### **Recommendation 35:**

*Delete the section headed 'Town Centre Masterplan' (including Policies T1 – T4) and review and expand the content of the sub-section headed 'Calne Town Centre' as recommended below; amend the Contents page accordingly.*

### **Policy WS1 - Employment**

A representation has commented: "we would press that land use be prioritised for employment over housing. The timescale given of just 6 months for a site to be marketed for employment use before it being offered for alternative ie housing, is *much* too short. We propose this be replaced by a minimum 3 – 5 year period. We should like to see **an** imaginative plan for encouraging new businesses to come to Calne – and as a town be able to provide many more local opportunities for residents to work within a walk or cycle ride from home. We are aware that many of the people who have moved into new housing in

Calne commute often quite long distances to work. We should be aiming to reduce the need for commuting by car”.

The Core Strategy context for employment policies is provided by strategic objective 1: delivering a thriving economy (p218). There is a problem with repeating but abbreviating core policies in the Neighbourhood Plan because significant nuances are lost and therefore potential applicants may be misled – for instance the core policies make distinctions between urban and rural locations. Further, if additional obligations are being placed on applicants for change of use on employment land then each obligation must be carefully justified with evidence, which has not been provided. But, in reality I cannot see that Policy WS1, in the absence of site-specific proposals, adds anything to Core Policies 34 to 36. I note there is a reference to encouragement for “high quality” employment provision but as the latter is not a term used either within the NPPF or the Core Strategy, and despite a brief definition intended for the term within the policy pre-amble, I fear that the reason for this area of special interest, its lack of clarity alongside the planning use classes, and the apparent blanket application all suggest that there is no “practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). Similarly there is reference to facilitating working from home but since, in general, working from home would be unlikely to require a planning permission then this aspect of the policy has no obvious target.

**Recommendation 36:**

*Reduce Policy WS1 to the following and delete pre-amble paras 15.6 – 15.9: ‘Proposals for employment development within Calne & Calne Without will be supported subject to compliance with all relevant development plan policies. Proposals for the retention, regeneration and intensification of previously developed employment land are particularly encouraged.’*

As reworded Policy WS1 meets the Basic Conditions.

**Policy WS2 – Calne Town Centre**

As noted above, in the absence of the definitive Town Centre Masterplan, great care is needed with the Plan content to ensure that there is no potential for confusion or difference of interpretation between the two documents. The Masterplan work to date and its evidence when used must be appropriately referenced within the Plan document.

Those parts of Policy WS2 that replicate parts of the carried forward North Wiltshire Local Plan Policies R1 (Town centre primary frontage areas) & R2 (Town centre secondary frontage areas) are not a complete review or replacement. The Core Strategy says (para 6.25) that “Any necessary amendments to these frontages and corresponding policies will be identified through the Wiltshire Core Strategy Development Plan Document (Partial Review). The review will update retail/town centre policies across Wiltshire consistent with the National Planning Policy Framework (NPPF)”. Since the limited, related parts of Policy WS2 add nothing to current policy (and no changes have been justified with evidence), they have the potential to confuse pending a comprehensive review and those elements should be deleted.

Representations have commented that the implications of the car parking element of the policy (both here and as included also in the Masterplan section) are unclear; in particular there is a concern that any apparent restriction on the number of car parking spaces will hamper the ability of the town centre to attract the appropriate volume of users. Sainsbury’s in particular commented: “As previously, with regard to the Neighbourhood Plan, we are in general support of its objectives seeking to improve Calne Town Centre. We are also in general support of Policy TC3 which supports proposals to enhance existing areas of car parking within the town centre and proposals to deliver new car parking within or adjacent to

the town centre where they are compliant with the Town Centre Masterplan. It is noted that the Neighbourhood Plan states that it will be necessary to review existing parking arrangements in the town. It is also noted that the submission version of the Neighbourhood Plan confirms that the Town Centre Masterplan has not progressed far enough to be incorporated into the Neighbourhood Plan and is therefore continuing to be finalised as a separate document. Given the foregoing, we would reiterate our previous comments made regarding the Masterplan, that the Neighbourhood Plan (alongside the Masterplan) should ensure that there is sufficient overall level and location of parking in the town centre to enable town centre businesses, including the Sainsbury's store, to operate successfully." Since the vision for the Masterplan has set out the issues and the definitive Masterplan will have to address parking issues comprehensively, that is the place for appropriate balances between land uses to be struck and evidenced.

As noted earlier, relevant parts of the section on the Town Centre Masterplan need to be incorporated within this policy sub-section pending the definitive version of the Masterplan; to allow for this I suggest that the Town Centre policies are given a multi-part numbering (eg 2.1) and that within the section a map is incorporated – derived from the Masterplan document – clearly defining the Town Centre area.

**Recommendation 37:**

*Reduce Policy WS2 to the following and renumber it as WS2.1:*

*'Development proposals within Calne Town Centre must consider, assess and address their impact on the streets, pavements, parking areas and other public spaces and the opportunities provided to improve the quality, accessibility and safety of the public realm and benefit businesses and customers alike.'*

As reworded and renumbered Policy WS2.1 meets the Basic Conditions.

A representation notes that it is unclear whether the Policy TC1 (Public Realm) is intended to apply to planning applications which have the potential to impact on the town centre or only to planning applications within the town centre. Another representation notes that "Policy TC4 on page 61, states that development proposals within the town centre will only be supported where they are compliant with the overall objectives and proposals of the Masterplan. The issue is that these are not included within the Neighbourhood Plan at this stage and we are unable to comment on these objectives and proposals." Clear cross-referencing to the Masterplan documentation as presently adopted and the related webpages is therefore absolutely vital.

**Recommendation 38:**

*After Policy WS2.1 add a preamble paragraph 16.4 along the lines below and the map of the Town Centre derived from the Masterplan document:*

*'In parallel with the preparation of the Neighbourhood Plan, the Calne Town Centre Masterplan, published as a vision document and adopted by the Town Council in April 2014 [on-line ref], has been evolving in greater detail; an updated Plan is likely to be published during the lifetime of this Plan. For the purposes of the Masterplan and the Neighbourhood Plan policies, the area of the Calne Town Centre is defined on the map below.'*

*It is vital that the April 2014 version of the Masterplan, as copied to me, is available via the Masterplan webpage ([www.calne.gov.uk/Masterplan.aspx](http://www.calne.gov.uk/Masterplan.aspx)) and that it is directly referenced within the Plan document (eg as above) wherever a cross-reference is relevant.*

Policy WS2.2 can pick up the need to make the link with the Town Centre masterplanning in lieu of Policies TC1-4 which have been deleted. This can be preceded by the introductory paragraphs 19.2 and 19.3 (from the deleted Masterplan section) renumbered as 16.5 & 16.6.

**Recommendation 39:**

Reuse the wording of paras 19.2 & 19.3 as new preamble paragraphs 16.5 & 16.6.

Add Policy WS2.2 as follows:

*'Development proposals within or immediately adjacent to the defined Calne Town Centre must consider and address their relationship to the vision set out in the Calne Town Centre Masterplan (April 2014) and the evolving plans deriving from that. Proposals should demonstrate how they contribute to the Masterplan objectives and dovetail with ambitions for the Town Centre as a whole. In particular, proposals that have the potential to benefit vehicular, pedestrian and cycle movement within the Town Centre, helping to tackle issues identified within the Masterplan, should consider and address opportunities as part of their scheme.'*

**Policy WS3 – Local Neighbourhood Shopping**

I note that the development proposals for the Land North of Low Lane, Calne (17/00679/OUT) include for some retail units which would indicate that, at a suitable scale, neighbourhood shopping can be a viable option. However, that scale is not established and the inclusion of a “more than 100 houses” expectation within Policy WS3 is purely conjectural. The term “local neighbourhood shops” is too all-encompassing when convenience shopping is the clear target of the Policy.

**Recommendation 40:**

Amend and reduce Policy WS3 to the following:

*Para 1: replace “local neighbourhood...” with ‘local neighbourhood convenience...’*

*Para 2: ‘Development proposals that add to and/or sustain the distribution of local neighbourhood convenience shops, designed to be accessible primarily on foot or by cycle, will be supported subject to compliance with all relevant development plan policies.’*

As revised Policy WS3 meets the Basic Conditions.

**Policy WS4 – Other Retail Development**

Whilst it is evident that the development of the Beversbrook site will not fully be resolved until the development is built out, I note from my visit that there has been a commencement on the site; policy requirements must be built from evidence not conjecture. As written Policy WS4 cannot provide a “practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17) because

- at the very least any bus link element of a development would necessarily be the subject of a viability assessment, but the relevant factors would inevitably be much more complex, and
- lack of care with wording will undermine policies; the second paragraph with some of the sub-clauses stripped out reads: ‘Proposals for non-retail uses will be resisted ...Alternative uses should be limited to retail development...’

Additionally, in a plan-led system, there is already a presumption against the use for housing of land not allocated for residential use.

If and when any further planning application is made, the decision by the local planning authority will have to relate to the planning history of the site and all other material considerations at that time; no additional considerations have been evidenced.

**Recommendation 41:**

*Delete Policy WS4 and move the content of its pre-amble to Section 2 to provide a watching brief to the Town & Parish Councils for further work as matters related to the Beversbrook site are progressed; amend the Contents page accordingly.*

**Town Centre Masterplan**

See the section on Calne Town Centre above.

A representation in relation to paragraph 19.3 notes that “the text states that the masterplan vision seeks to reinvent the town centre by ‘increasing town centre vibrancy, employment opportunities and supporting existing and retail and commercial uses.’ We consider that the text should include other uses encouraged within town centres, including residential uses which would be in accordance with Paragraph 23 of the NPPF.” I note that the Masterplan document does indeed include for residential uses within the mix that will help to retain a vibrant central area; this further emphasises the importance of properly referencing the source of related documents (as noted above) with which the Neighbourhood Plan is interdependent.

## **Community Facilities**

### **Policy CF1 – Health, Leisure & Wellbeing**

Whilst the subject matter is relevant to many planning determinations, no decision can rest solely on the judgement as to whether proposals “can positively contribute”. But that is the implication of Policy CF1 as written. Replacing a negative with a positive approach provides the “practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17).

#### **Recommendation 42:**

*Reword para 1 of Policy CF1 as:*

*‘Development proposals should consider, assess and address their opportunities to contribute to the health and wellbeing of the community at a scale relevant to the proposal.’*

As partly reworded Policy CF1 meets the Basic Conditions.

### **Policy CF2 – Educational Facilities**

A representation has expressed a concern that “Paragraph 25.10 identifies that there are 932 houses with planning permission to be built in the Community Area. However, this figure does not align with the figures in the table at the top of page 28 which identify 836 houses. This incorrect figure has been used to calculate the needs for additional school places”. More fundamentally however, the additional site that the Plan allocates for housing has not been included in the calculation, making the Plan internally inconsistent.

Whilst it is important that figures are correct and internally consistent, no allocation of land for education has been made on the basis of the estimates and I note that a revised higher number would not be so significant as to alter an overall conclusion that school facilities can be sufficient or made sufficient within the Plan period (but see also the next paragraph). I also note that within the new planning consent 17/00679/OUT an Education Contribution has been included within the S106 Agreement. It is however also vital that the source reference for core data is provided since it is inevitable that this will be updated during the Plan period.

It is important that the supporting text consistently builds a justification for the related Policy. Para 25.11 says that “increase in demand can be contained ...with additional accommodation provided in the medium term where necessary”. Para 25.12 repeats “if necessary more places will be provided ... by 2019, so no new school will be needed to take account of the increase in housing until 2025/26”; awkwardly the data in the table above omits that year but skips to 2026/27 by which time the tabulated increase appears to have gone into reverse. But then paras 25.16 – 25.18, which in large part appear to duplicate the earlier content, includes: “From 2019 until 2026 there will have to be provision for additional primary school capacity” and “to address this shortfall the Plan will need (*sic*) to set a framework to support additional provision of another primary school”. It is my judgement that the data does not show conclusively that the threshold for an additional, new school will be met within the Plan period, but it would have been helpful to have the education authority position set out in the Policy pre-amble. I have been provided with a copy email dated March

2017 (in further explanation of the representation from Wiltshire Council) that confirms that 'Due to the legacy of surplus places it is expected this increase in demand can be contained within the existing schools in the short term, with additional accommodation provided in the medium term where necessary'.

Having regard to the various shortcomings in this section and since no aspect of Policy CF2 is location specific (ie the considerations set out there would be amongst those applied to all school facilities anywhere), I conclude that it would be best to delete this section; there is no obligation to include the subject matter in a Neighbourhood Plan.

**Recommendation 43:**

*Delete the section Education Facilities and the related Policy CF2 (but perhaps move some of the content of its pre-amble, corrected as needed, to Section 2 to provide a watching brief to the Town & Parish Councils for further work as schools' provision is progressed); renumber subsequent policies and amend the Contents page accordingly.*

**Policy CF3 – Community Assets**

The preamble to Policy CF3 does not identify any requirement for new community facilities and yet the Policy makes reference to new facilities and the Core Strategy envisages (para 5.42) that "Development will have supported the growth of services and community facilities within the town". The listed set of "community facilities" (whereas the sub-head is Community Assets) is certainly drawn wider than most interpretations of the term, certainly broader than the introductory paragraph 26.1, and thereby there is introduced a significant confusion between policy areas – eg "an industrial estate" and "a town centre", both of which are commercial enterprises, have already been addressed in their own policy detail, "local parks", "allotments", "sports pitches" & "tennis courts" are properly regarded in policy terms as open space, also "funeral parlours", "restaurants and takeaways", "hotels" and "garages & petrol stations" all have commercial use classes with associated permitted developments which will make the intention of Policy CF3 inoperable in most instances.

**Recommendation 44:**

*Include within the pre-amble to Policy CF3 brief details of any new community facilities being sought. Carefully edit the listing of "community assets" at para 26.2 so as to ensure the content is only that which has a realistic prospect of the protection that is at the core of the Policy.*

Core Policy 49 referenced within Policy CF3 relates to "Protection of rural services and community facilities" ie not Calne. You provide no justification for the extension of its application into an urban setting and arguably the concentration of population and other servicing infrastructure within Calne makes the community assets significantly less vulnerable to loss than in rural areas. The distinct rural vulnerability ought to be retained.

**Recommendation 45:**

*Reword Policy CF3 as:*

*Development proposals that consider and address their potential to retain, improve and/or add community facilities will be supported subject to compliance with all relevant development plan policies. Any redevelopment proposals will only be supported if the facility affected is replaced by an equivalent or better provision in an equally suitable location.*

*Development proposals that would result in the loss of community facilities will be resisted unless it can be demonstrated that the facility is no longer viable or that adequate alternative provision is available. In rural areas Core Policy 49 will apply requiring a comprehensive marketing plan.*

As reworded Policy CF3 meets the Basic Conditions.

## **Built Environment**

The Qualifying Body has advised me for clarification that “the aim is for Policy BE1 to set out the context for the integration of development into the built and natural environment with Policy BE2 setting out design principles”. Accordingly I believe it would be helpful if the Policies were re-titled along these lines so as to make the basis for the separation clearer.

### **Recommendation 46:**

*Retitle Policy BE1 as ‘Integration & Landscaping’ and Policy BE2 as ‘Design Principles for Local Distinctiveness’; the Contents page should be amended accordingly.*

A representation from Gladman, applicable to both Policies BE1 and 2, says: “The Framework is clear ‘design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.’ Plans should not contain such policies that would add financial burdens to a scheme which would render a scheme unviable.” You do not explicitly acknowledge that your deliberations on design issues have had regard to this aspect of national policy but I can see that efforts have been made to distil ‘principles’. However, the Policies as written do not always make a clear distinction between general and particular guidance eg the expectation that “any new housing development”, at whatever scale, should incorporate “wide boulevards” (Policy BE1e) is unrealistic.

### **Policy BE1 – Design & Landscaping**

Greater clarity is required to distinguish between general and particular expectations; detailed content for which no proportionate evidence has been provided should be omitted.

I note that Policy BE1 is the only Policy presented with (a) – (f) sub-paragraphs; this has the benefit of making referencing easier but I note it is not the approach adopted in the Core Strategy. There is no right or wrong here but, for consistency, I have shown my recommendation below with simple bullet points to be in keeping with the other policies in the Neighbourhood Plan.

### **Recommendation 47:**

*Recast Policy BE1 as follows:*

#### *Policy BE1 – Integration & Landscaping*

*All development proposals must provide appropriate landscaping to integrate the existing and new built form and landscape; the landscaping treatment should:*

- *minimise but not obliterate views of the development (except where other treatments are advised from the visual impact assessment); and*
- *use stands of trees to either restrict or focus views of the development and to break up the outline of buildings; and*
- *extend existing landscaping ensuring that existing built form and community identity of streets and areas are not adversely affected; and*
- *ensure that access routes are attractive and safe; and*
- *contribute to supporting native fauna where possible, using the latest research to support choices, which may include non-native species where these may be more tolerant to future climate change; and*
- *for developments with a countryside edge, build density should reduce toward the countryside with larger areas dedicated to gardens; and*
- *for developments within Calne on the main approaches into town, allow for a wide boulevard on the main frontage to create a high quality environment.*

*Proposals must be accompanied by a plan showing the extent and form of the landscaping as well as details of how these will be managed and maintained upon completion.*

As re-titled and recast the content of Policy BE1 meets the Basic Conditions.

### **Policy BE2 – Local Distinctiveness & Aesthetics**

Policy BE2 seeks high quality design that reinforces local distinctiveness. This aim reflects national policy and guidance. The NPPF states that good design is a key aspect of sustainable development and this policy accordingly sets out a number of requirements that will be expected of new development in the neighbourhood.

I am doubtful that paragraph 3 of the Policy is intended, as written, to relate exclusively to “buildings on the fringes”.

#### **Recommendation 48:**

*Within Policy BE2 paragraph 3 replace “They should...” with “All new buildings should...”.*

As re-titled (Recommendation 46 above) and amended, Policy BE2 meets the Basic Conditions.

### **Policy BE3 – Parking Provision**

A representation was made objecting to the wording of the part one of Policy BE3 relating to provision of spaces: “This is very subjective, and in order to provide certainty to the development and determination of planning applications, explicit reference should be made to the parking standards identified in Wiltshire Council’s Car Parking Strategy or an alternative set of parking standards”. I have to agree that the wording does not provide “a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17); in the absence of any justification for a different standard the Wiltshire Council’s Car Parking Strategy standards should apply.

#### **Recommendation 49:**

*In order to meet the Basic Conditions reword para 1 of Policy BE3 as:*

*‘All residential development proposals, including change of use to residential, must provide adequately for off-street parking in accordance with the standards set out in the [Wiltshire Car Parking Strategy 2011 - 2026](#).’*

As partially reworded Policy BE3 meets the Basic Conditions.

### **Policy BE4 – Heritage Assets**

Para 30.6 refers to “Scheduled Ancient Monuments” but the appropriate term is now simply ‘Scheduled Monuments’

#### **Recommendation 50:**

*In para 30.6 replace ‘Scheduled Ancient Monuments’ with ‘Scheduled Monuments’.*

A representation has objected to the wording of para 1 of Policy BE4 on the grounds that “in its current form it is not in accordance with the requirements of national policy. Paragraph 132 to 134 of the [NPPF] relate specifically to designated heritage assets and highlight that the more important the asset the greater the weight that should be attached to it”.

As you note in general terms in the pre-amble, heritage assets are already afforded significant protections within the wider planning system. If the Neighbourhood Plan merely abbreviates these protections, with differences of wording, this will lead to confusion (which might weaken the impact of the Neighbourhood Plan); there must be “a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). Only paragraph two of Policy BE4 is specific to

the Plan area; all other parts of the Policy are well covered and more nuanced within the NPPF and/or Wiltshire Core Strategy.

**Recommendation 51:**

*Amend and reduce Policy BE4 to the following:*

*'Development proposals within or affecting the Calne or Derry Hill Conservation Areas must take account of their distinctive characters, including their open spaces and natural features, and reflect these in the proposed layout, design, form, scale, mass, use of materials and detailing.'*

**Natural Environment**

**Policy NE1 – Local Green Space**

The NPPF provides for local communities to designate appropriate areas as 'Local Green Space' (para 76) but such sites need to meet specific criteria and, the Planning Practice Guidance notes, "If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space" (Paragraph: 011 Reference ID 37-011-20140306). The NPPF specifies (para 77): "The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land."

I note that you have misquoted para 77 by replacing "most green areas or open spaces" with "all green areas...." (*my emphases*); I don't believe that this error has been material but it must be corrected.

It is helpful that the proposed sites are tabulated against the full NPPF criteria in Appendix 1 but this must be cross-referenced within the text.

**Recommendation 52:**

*Correct, both within para 31.2 and Appendix 1, the quotation from para 77 of the NPPF; add within para 31.3 'see Appendix 1' after the word "assessed".*

The tabulation in Appendix 1 is sufficiently detailed to establish that most of the identified spaces are appropriate for Local Green Space designation and I can see that, for consistency, its use even where other designations apply is appropriate. However there are two proposals which are less clear cut and I will address these in the order of your list. I visited all of the sites when I made my unaccompanied visit to the Neighbourhood Area.

Land to rear of "Atcherly Close" (but shown on the map to be Atcherly Road), Lower Compton

This land is described in the tabulation as "a large field on the edge of the housing development at Lower Compton" and "on the edge of the AONB with views of the White Horse and Monument on Cherwell Downs". As an agricultural field it is indistinguishable from the adjacent fields to the west, south and east. Whilst it is evident that the field is in close proximity to the community of Lower Compton, I do not accept that it has been established that this field holds a "particular" local significance as compared to any of the other fields that are adjacent to the community and afford the same views. Further, given that the field is roughly the same size as the adjacent housing development the notion that it is "local in character" must be questioned. Planning Practice Guidance (Paragraph: 015 Reference ID:

37-015-20140306) sets out guidance on the matter of the scale and size of a local green space. The Guidance is clear that “there are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgement will inevitably be needed”. But the Guidance goes on to say that “blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name”. I must conclude that, relative to the scale of the Lower Compton community, ‘blanket designation of open countryside’ is a fair description of what is proposed in the case of the land to rear of Atcherly Road, Lower Compton. Accordingly I conclude that this site should be deleted from your list.

The Allotment Gardens site to the South of Castle Walk, Calne

A representation on behalf of the land owners has objected to the designation of the site listed as The Allotment Gardens site to the South of Castle Walk, Calne. Amongst the grounds for objection are:

- it is plain that the Local Green Space designation has been proposed to prevent development;
- the proposed designation of the site as Local Green Space is based on outdated SHLAA information and without proper consideration of the availability of the land;
- the Planning Inspector [considering planning application 16/04507/FUL] did not consider the potential to develop the land without merit;
- the proposed scheme would deliver affordable homes that would meet identified local housing needs - needs which remain unmet;
- the Framework states that designation “will not be appropriate for most green areas” (our emphasis);
- a Neighbourhood Plan Examiner has previously noted that “it is therefore reasonable to expect compelling evidence to demonstrate that any such designation meets national policy requirements” (Examiner’s report into Sedlescombe Neighbourhood Plan (first examination), January 2015, page 23); the Steering Group has failed to provide robust justification for the proposed designation;
- National Planning Practice Guidance (PPG) notes that “designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name” (Paragraph: 015 Reference ID: 37-015-20140306);
- the NPPF also states [unreferenced] that LPAs should seek opportunities to positively enhance the beneficial use of proposed Local Green Space, such as providing access, opportunities for outdoor recreation and to retain and enhance landscapes, visual amenity and biodiversity; given that the land south of Castle Walk is in private ownership, this is not realistically going to be achieved through a Local Green Space designation;
- we consider that the site is not of such a unique specialness or significance to justify designation as a Local Green Space; the land has been closed to public access for many years and has no particular historic significance locally;
- we are aware of an appeal decision determined by the Secretary of State where the proposed designation of land as a Local Green Space was overruled, and removed from the respective Neighbourhood Development Plan (Land South of Forest School Street, Rolleston on Dove, Staffordshire, reference APP/B3410/A/13/2209697);
- the development of this site would have no impacts on the setting or integrity of important buildings within the neighbouring area, and negligible impacts on the setting and integrity of the Calne Conservation Area; the site itself does not have any particular beauty that would be impacted by the proposed development;
- development of the site would have no impact on the future restoration of the Wilts and Berks Canal;

- the proposed designation of the land as a Local Green Space would effectively sterilise the site and prevent proposed public access enhancements being provided;
- future proposals to develop the site will consider even more carefully the site's trees, habitats and wildlife, as well as neighbouring residents;
- surveys have shown that without active management of the site, it will continue to deteriorate with harmful effects on habitat quality, floristic diversity and the long term loss of habitat for protected species; the development of the site would, in effect, secure long term ecological benefits as part of a 'wildlife corridor', with permission securing full post-development management of the site, and a rich diversity of habitats and wildlife as sought by the local community;
- the NPPF states that the identification of Local Green Spaces should be consistent with the planning of sustainable development, and to complement investment in sufficient homes to meet local needs; National Planning Practice Guidance (PPG) further clarifies that "Local Green Space designation should not be used in a way that undermines this aim of plan making"; we do not consider that the Steering Group has undertaken a sufficiently evidence-driven assessment of land to justify the proposed designation of land south of Castle Walk as a Local Green Space, and we consider the designation to undermine proper plan making;
- Landowner GreenSquare's proposals for 42% affordable housing is a very significant material benefit to the local community of Calne; this should not be swept aside as a minor factor.

Within the objection the representation specifically says that it does not contest that:

- the site is very well located adjacent to neighbouring homes and within close proximity of the town centre [NPPF criteria 1];
- the land south of Castle Walk is local and not extensive within the context of Calne [NPPF criteria 3].

The criteria issue to be addressed here is therefore NPPF criteria 2, whether "the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife". On this matter the Planning Practice Guidance offers little further detail beyond perhaps: "Whether to designate land is a matter for local discretion. For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis" (Paragraph: 013 Reference ID: 37-013-20140306).

However, the objection has also asserted that "the Local Green Space designation has been proposed to prevent development" and, as noted in the representation, the relevant Planning Practice Guidance is clear: "Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making" (Paragraph: 007 Reference ID: 37-007-20140306). On this issue I note that the Calne Neighbourhood Plan actually identifies more land than is needed to meet identified development needs and therefore, within the local discretion afforded through neighbourhood planning, the community may look at potential Local Green Spaces entirely on their individual merits.

It is not any part of my role as Examiner to consider the merits or otherwise of any of the development proposals for the site, I am considering whether the Basic Conditions are met; but in considering all aspects of this representation several matters of note are material considerations:

- the Planning Inspector’s report relating to planning application 16/04507/FUL states with reasoning and unequivocally (para 15): “I consider that the site is not an appropriate location for residential development having regard to the likely effects on landscape and landscape character”; and
- (para 8) “The appeal site occupies a sensitive location at the edge of Calne and performs an important role in the transition between the built up area at the south western edge of the town and the tranquil, and distinctly rural, landscape character of the river valley to the west”; and
- (para 18) “I find that the proposal would conflict with CS Core Policy 52 which requires that development should make provision for the retention and enhancement of Wiltshire’s Green Infrastructure network”; and
- (para 27) “The appeal site was used by the appellant company as a receptor site for the translocation of slow worms from another nearby site for which planning permission for development was granted on appeal in 2010” - this is also a fact included for attention in representations from residents; and
- (para 39) “I find that the appeal site should be regarded as an area of nature conservation value for the purposes of CS Core Policy 50 and that the proposal would result in a considerable loss of habitats and a significant reduction in the biodiversity value of the site as a whole”.

Therefore, addressing the objections in the representation that relate to the loss of a potential housing site, having considered earlier the issues raised about the site selection process and now about the current planning status of the site, it is my judgement that the community had sound, positive reasons to include the site within their candidates for Local Green Space designation. However, many representations from local residents appear to argue that, with planning permission having been refused for a residential development then the Local Green Space designation must succeed; but this does not follow. The NPPF criteria for designation must be met in full and, as noted earlier, the issue of criteria 2, whether “the green area is demonstrably special to a local community and holds a particular local significance”, must be resolved; voluble community support is evident but not of itself necessarily sufficient.

Whilst the evidence submitted (in the tabulation in Appendix 1) is proportionate to the other areas submitted for designation, arguably it falls short of the ‘compelling evidence’ test that the representation has suggested should be applied. I agree that the entry in the Appendix 1 tabulation falls short. However, within the Planning Inspector’s Appeal Report there is abundant, compelling evidence of special, green qualities of the site and its several features of particular local significance that match with the brief summary assessment included within Appendix 1. Additionally resident representations include the points that the site’s “position linking the River Marden Valley by undisturbed access along Castle Walk bridleway above and along the Canal path below means that it is perfectly placed for recreational use for all local residents and visitors to Calne”, it “makes an invaluable contribution to the character and landscape of the area [and] is significant as green infrastructure” and it “is of outstanding & unique ecological value”. The Calne Town Council added: “The importance of this site as publicly available green space resulted from an extensive consultation process with the wider community”.

It is a repeated failing in the Plan document that it does not appropriately reference important source material, but this can be corrected and the evidence from the Appeal Report should be brought properly into support. The contested matter of access to the site is not an issue here since Planning Guidance states that “designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected” (Paragraph:

017 Reference ID: 37-017-20140306). Similarly therefore, the issue of future management of the land does not flow from the designation of the site but may be the subject of separate negotiation once the planning status of the land is resolved.

A representation makes an additional point that “in line with national policy the protection afforded by Local Green Spaces relates only to the designated area and there is no protection to sites adjacent to such designations. If the adjacent sites are worthy of protection these should be designated as Local Green Spaces in order to provide a clear policy framework for planning applications”. As it is the NPPF that sets down the status of land designated as Local Green Space it is not appropriate for the Neighbourhood Plan Policy to reword or confuse this.

**Recommendations 53 & 54:**

*Delete from Policy NE1, Appendix 1 and the Policy Map the site listed as 'Land to the Rear of Atcherly Close/Road'; delete paras 2 & 3 of the Policy since it is the NPPF that sets down the status of land designated as Local Green Space.*

*Add in Appendix 1 to the text entry for 'The Allotment Gardens site to the South of Castle Walk, Calne' the following:*

*'In the Report of the Appeal Decision Appeal Ref: APP/Y3940/W/3158241 (Decision date: 22nd February 2017) it is noted inter alia that this site (para 8) “performs an important role in the transition between the built up area at the south western edge of the town and the tranquil, and distinctly rural, landscape character of the river valley to the west. In views from the public footpath along the valley floor to the west the site appears as a substantial block of mature woodland and helps to provide an attractive setting for the built area of the town. From here it can be seen that built development is limited, on both sides of the valley, to the upper slopes and that the lower slopes and valley floor extend as a green lung further into the town. An appreciation of the generous width of the valley can also be gained from the estate road, footpaths and from some of the houses within the Bowood View development which all provide for good views of the extent of mature vegetation on the site and the contribution that this makes to the rural character of the river valley”; (para 18) “The appellant had previously questioned whether the appeal site should be regarded as an element of Green Infrastructure but conceded at the Hearing that it does have this status”; (para 39) “I find that the appeal site should be regarded as an area of nature conservation value for the purposes of CS Core Policy 50”.*

As amended the content of Policy NE1 meets the Basic Conditions.

**Policy NE2 – Open Space and Green Infrastructure**

I can appreciate that the origin of Policy NE2 lies in the attractive, informal inter-mix of built form and open space that characterises the various communities of the Neighbourhood Area, but one certainly would not know that from the pre-ambule at para 32.1 which is more of an umbrella context for Policies NE2 to NE4 (but with inadequate referencing). And the Policy itself does not rise to the objectives set for it by, for example, identifying the green network in the Neighbourhood Area and how it can be enhanced nor identify specific areas requiring new open space. The standard specified requiring open space provision within “major” residential development, regarded here as “10 or more dwellings”, lacks a justification and/or any source reference.

A representation notes that Policy NE2 may (depending upon the definition of open spaces) preclude any development in the open countryside, including at allocated sites by protecting such open spaces from encroachment. As a result, the Neighbourhood Plan (as a whole) could be internally inconsistent if Policy NE2 is not amended. Further, I do not believe that Policy NE2 adds anything to Core Policy 52 and by adopting different wording there is potential to cause confusion, again failing to provide “a practical framework within which

decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). From the Core Strategy I note that Wiltshire-wide open space standards are currently being produced, informed by an Open Spaces Study, with the new standards to be adopted as part of the current Partial Review of the Wiltshire Core Strategy; that document will take precedence over any related policies in a Neighbourhood Plan.

**Recommendation 55:**

*Delete the section ‘Open Space and Green Infrastructure’ including Policy NE2 in the absence of evidence that the Basic Conditions are met; renumber subsequent Policies and amend the Contents page accordingly.*

**Policy NE3 – Setting of Calne and Calne Without**

In contrast to NE2, NE3 is provided with an extensive context but a great deal of this is assertion rather than justification for the policy with evidence. Emotive sentences such as “The Landscape is under threat from development in the rural areas and the fringes of Calne”, unsubstantiated, undermine rather than support relevant policies and have no place in a positively directed, community-led plan.

A representation has noted, “this policy lacks sufficient evidence to demonstrate which views are of particular importance to the local community and indeed why these views are of such value. Opinions on landscape are highly subjective, therefore, without further evidence to demonstrate why these views are considered special will likely lead to inconsistencies in the decision-making process. In addition, Gladman consider that to be valued, a view would need to have some form of physical attribute. This policy must allow a decision maker to come to a view as to whether particular locations contains physical attributes that would ‘take it out of the ordinary’ rather than selecting views which may not have any landscape significance and are based solely on community support”.

Another representation echoed this: “the requirements of Policy NE3 for development not to adversely affect views is too onerous and could potentially be in conflict with other policies of the Plan, in particular Policy H1 (Housing Allocation). It should be moderated to require development to minimise adverse impacts on important and cherished views”.

One of the Core Planning Principles on which the NPPF builds (para 17) acknowledges that planning should “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”; however, even within the very protected areas of Green Belt there are some excepted circumstances where development may be considered appropriate despite some adverse impact (para 89).

Echoing the expectation of national policy, WCS (para 6.129) establishes that: “Wiltshire has a rich built heritage and its vibrant towns and villages are set within large expanses of open countryside which is valued for its tranquillity and beauty as well as its environmental value. Enhancing the character of Wiltshire’s countryside and settlements is of the utmost importance and, in order to do this, development must be informed by a thorough understanding of the locality and the development site.” The WCS also notes (para 4.16) that “there is a general presumption against development outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages”. And further, the WCS Core Policy 8 relating to the Calne Community Area requires that development proposals “demonstrate how the relevant issues and considerations” will be addressed, including amongst these “the need to conserve the designated landscape of the North Wessex Downs AONB and its setting, and where possible enhance its locally distinctive characteristics”. But the WCS context for NE3 also includes a number of ‘exception policies’ whereas the wording of Policy NE3 fails to acknowledge these.

It is evident therefore that the generality of the respect for the value of the open countryside – which is at the heart of NE3 - is already well addressed in national and local planning policy but the exceptions allowed for within higher level policies are not acknowledged and the wording of NE3 itself is rarely nuanced as to locality. An approach which positively and consistently expresses the expectations to which good development proposals should rise is what is needed to meet the Basic Conditions, providing that “practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17).

**Recommendations 56 & 57:**

*Delete the final sentence of para 33.1.*

*Rephrase Policy NE3 as follows:*

*Proposals for new development must respect the pastoral setting of Calne & Calne Without and accordingly must assess and address, with mitigation where appropriate, their impact on:*

- the sensitive rural edges of the town and villages where views both in and out and linkages are an integral part of the character of these places; and*
- the physical separations between communities; and*
- the dominance of the natural features that provide the setting for these settlements such as the valley setting of Calne below rural hilltops; and*
- the un-urbanised qualities of the country lanes, and*
- tranquillity and the need to protect against intrusion from light pollution, noise, and motion.*

*Wherever possible, development should deliver enhancements to the landscape character including well integrated additional planting.*

*In the River Marden Valley proposals for new development must assess and address, with mitigation where appropriate, their impact on the character, appearance, setting, recreational use and tranquillity of the valley including the Castlefields Canal & River Park. In particular, to be supported, proposals for recreation and tourism purposes will demonstrate how they:*

- enhance the existing landscape, and*
- retain visual separation between townscape and the rural valley setting, and*
- not prejudice and where possible support the full or partial restoration of the Wilts & Berks Canal, and*
- maintain and where possible enhance the existing rights of way.*

As revised Policy NE3 meets the Basic Conditions.

**Policy NE4 - Biodiversity**

As with NE3 very little of Policy NE4 is nuanced as to locality; as is noted in the pre-ambles a significant amount of protection is already afforded through higher level policies and designations. But one aspect of the Policy has attracted a representation: “Policy NE4 requires that where the loss of habitat cannot be avoided, planning applications should provide an offsetting undertaking in a proportion of at least 2:1 to ensure a net gain in biodiversity. Core Policy 50 of the Wiltshire Core Strategy however only requires that there is no net loss of the local biodiversity resource. Paragraph 118 of the NPPF also identifies that planning permission should only be refused where the proposal results in significant harm (after mitigation) to biodiversity resources. As such, Policy NE4 is inconsistent with Core Policy 50 and the NPPF and two of the basic conditions are not met”. No justification or reference has been provided in support of an exceptional approach to this issue in the Neighbourhood Area therefore this part of the Policy NE4 must be deleted.

As has been noted previously, starting out with the same intent as Core Policy 50 but adopting different wording and reduced content, there is potential to cause confusion, again failing to provide “a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). An approach which positively and consistently expresses the expectations to which good development proposals should rise is what is needed to meet the Basic Conditions,

**Recommendation 58:**

*Reword Policy NE4 as follows:*

*‘In addressing Core Policy 50, development proposals for Calne & Calne Without should consider, assess and address their potential to:*

- create additional habitat space, including roosting, nesting or shelter opportunities for wildlife, and*
- facilitate or include wildlife corridors, and*
- protect and enhance riparian corridors for protected species, such as otter, kingfisher and water vole, especially along the River Marden and the Wiltshire & Berkshire Canal to the west of Calne.’*

As recast Policy NE4 meets the Basic Conditions.

**Policy NE5 – Renewable Energy**

Although the pre-ambule indicates that there is enthusiasm for the new sources of renewable energy, Policy NE5 actually offers no practical or specifically local support. Core Policies 41 & 42 provide all the support that a prospective applicant would need, and yet they are not referenced here. Accordingly, to avoid any confusion, Policy NE5 should be deleted but I note that the subject will continue to feature in the actions identified within Section 2.

It is illustrative of how quickly content can be overtaken by events that the “April 2017” horizon referred to in para 35.2 has now come and gone. In relation to the interest in preparing a Neighbourhood Development Order (NDO), the representation from Wiltshire Council includes: “The reference in paragraph 35.2 to an NDO only being valid for 3 years is not considered to be correct”; therefore that should not be a constraint on the NDO idea.

**Recommendation 59:**

*Delete the section ‘Renewable Energy’ including paras 35.1 - 35.3 and Policy NE5; renumber any subsequent Policies and amend the Contents page accordingly.*

**Policy NE6 – Energy Conservation**

I note the intention that the Calne Community Plan should “reflect ambitious developments that are both aspirational and distinctive in terms of making a substantial contribution to energy conservation”. However, aspirations here are impacted by the Ministerial Planning Update Statement (March 2015) which was clear that “local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings”. Whilst Policy NE6 stops short of specifying ‘requirements’, in practical terms it adds nothing to the more rounded Core Policy 41, as is partially noted in para 36.2. Therefore in the Neighbourhood Plan, prospective developers might be encouraged but not required to be distinctive on energy conservation, but this need not be confined solely to housing developments.

**Recommendations 60 & 61:**

*Replace paras 36.1 – 36.3 with:*

36.1 Calne and Calne Without wish to establish the environment and energy conservation in particular as a key concern. New buildings that have, by design, the technology to source and conserve energy from renewable or sustainable sources would be a distinct expression of Calne civic pride and priorities.

36.2 Policy CP41 of the Wiltshire Core Strategy supports the same endeavour by requiring a Sustainable Energy Strategy for all major development. The Calne and Calne Without Neighbourhood Plan can further encourage developers to be aspirational and distinctive in their contribution to energy conservation.

Reword Policy NE6 as:

*'Prospective developers should aim to be both aspirational and distinctive in terms of their developments within Calne and Calne Without making a substantial contribution to energy conservation.'*

### **Policy NE7 - Flooding**

A representation has commented on the Policy as written: "Policy NE7 identifies that any development proposal would be refused where it results in an increase in surface water flows into areas of flood risk. However, national policy (paragraph 103 of the NPPF) requires that flood risk is not increased but allows for surface water flows to increase providing these are appropriately managed. This allows for developments with appropriate mitigation to be developed, unlike Policy NE7 which would preclude such developments." Such issues of interpretation will arise when attempts are made to encapsulate briefly more complex higher level policies. I note that the Environment Agency "are encouraged that a policy relating to flooding is included" but they also express a concern that "the policy is made clearer ... for the avoidance of doubt in implementing the policy".

Both the NPPF and Core Strategy (Core Policy 67) address the issues of flooding in a more rounded manner. Whilst I appreciate that the community raised the subject matter and some content may therefore have been considered appropriate, there is no good reason to include a policy to precis, and thereby potentially confuse, existing national or local policies. Unfortunately the terminology used in Environment Agency map included on p89 does not relate well to the Strategic Flood Risk Assessment and Policy within the Core Strategy, thereby providing more potential to confuse.

### **Recommendations 62:**

*Delete the section 'Flooding' including paras 37.1 - 37.3 and Policy NE7; amend the Contents page accordingly.*

### **Implementation and Delivery**

Whilst it is helpful to include a section that looks to implementation, the content needs reviewing in the light of changes made to the Plan content for accuracy and as a result of my recommendations.

### **Recommendation 63:**

*Review the sub-section 'Implementation and Delivery' in the light of changes made to the Plan content and for accuracy in particular as follows:*

*Para 54 sentence 2: replace "Financial contributions will be sought..." with 'As provided for within national planning policy, appropriate financial contributions will be obtained....'.*

*Amend the table included within para 55 to exclude Policies now deleted and correct numbering as appropriate.*

*Para 60 refers to "LEP programmes" but I note that the Swindon & Wiltshire Local Enterprise Partnership is not included within the Partners listed at the head of this section (and*

*therefore the LEP acronym has not yet been explained) and that Calne is not apparently within the Growth Zones identified by the LEP; correct the content appropriately to the actual position.*

### **Monitoring and Review**

In para 63 you note that changes in housing need, for example, might warrant an early, partial review of Plan content; given the remaining timespan, the conclusion of that paragraph should indicate a Plan review 'no later than 2022'.

#### **Recommendation 64:**

*Amend the final sentence of para 63 to read:*

*'In accordance with best practice, Calne Town & Calne Without Parish Councils and their partners will undertake a review of the Neighbourhood Plan no later than 2022.'*

### **Glossary**

Whilst it is helpful to include a source of explanation for planning terms for readers, the Glossary should be tailored to the content of the Plan; I note that the term 'Core Strategy', referenced throughout the Plan, is not explained (other than under the related term 'Local Plan'); similarly terms that may be derived from and have a particular meaning in the Core Strategy (eg Settlement Boundary) should be included.

#### **Recommendation 65:**

*Review the content of the Glossary to ensure that all planning terms are included and briefly explained.*

### **Appendix 1 – Descriptions of Designated Local Green Spaces**

I addressed the content of this Appendix when examining Policy NE1 above. However the Appendix could be more helpfully titled since its core purpose goes significantly beyond "description".

#### **Recommendation 66:**

*Retitle Appendix 1 as 'Assessment of Local Green Spaces proposed for designation under the National Planning Policy Framework (NPPF) criteria'; amend the Contents page accordingly.*

### **Policies Maps**

Since the Maps must define specific boundaries for implementation purposes the Calne & Derry Hill/Studley maps need to be accompanied by larger scale maps locating the designated Local Green Spaces individually.

#### **Recommendation 67:**

*Bring the Policy Maps into line with the revised Policy content and numbering as appropriate; add larger scale maps to identify clearly the boundaries of the Local Green Space designations within Calne and Derry Hill/Studley.*

### **Section 2 – Non-Planning Issues**

Neighbourhood Plans allow local people and businesses to consider ways to improve their neighbourhood through the development and use of land. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non land use matters should be clearly identifiable. (Planning Policy Guidance Paragraph: 004 Reference ID: 41-004-20170728). The use of a Section 2 distinction and its explanatory heading is therefore appropriate but it would be helpful to include the 'development and use of land' reference rather than just rely on the term 'planning' (not least because at the heart of Section 2 there is also forward planning).

**Recommendations 68 & 69:**

*Replace “Some of the issues identified were non-planning issues and so cannot be included in the main body of the Neighbourhood Plan” in sentence 2 of the opening paragraph on p110 with: ‘Some of the issues identified did not relate to the development and use of land and therefore could not be included in the main body of the Neighbourhood Plan’.*

*Review the content of Section 2 in the light of the recommended changes to Section 1.*

**Other matters raised in representations**

A number of representations have been supportive of the Calne Community NP as a whole or substantial part which helps to support the view that the consultation processes have been attentive to community input.

**European Union (EU) and European Convention on Human Rights (ECHR) Obligations**

A further Basic Condition, which the Calne Community Neighbourhood Plan must meet, is compatibility with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, early in the process as it was likely that the Calne Community Neighbourhood Plan would seek to allocate land for development it was decided that a Sustainability Appraisal incorporating a Strategic Environmental Assessment (SEA) (in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004) would be undertaken; this was the subject of a Scoping Report in March 2015. This mirrored the approach undertaken for the adopted Wiltshire Core Strategy and allowed for the nationally designated authorities (Natural England, the Environment Agency and Historic England) to provide timely comment.

In November 2016 a Habitat Regulations Assessment Screening Report was provided by Wiltshire Council the purpose of which was to determine whether or not the contents of the Calne Community Neighbourhood Plan required a Habitat Regulations Assessment (HRA) (in accordance with Article 6(3) and (4) of the EU Habitats Directive 92/43/EEC). The conclusion of the HRA Screening Report was that the Calne Community Neighbourhood Plan would have no likely significant effects upon the Natura 2000 network alone or in combination and no appropriate assessment was required.

The Sustainability Appraisal of the submission Plan, dated March 2017 and produced by AECOM, assessed the Plan as generally providing positive benefits although it notes (para 4.10.1): “Whilst the delivery of the [housing site] allocation through the [Calne Community Neighbourhood Plan] CCNP will inevitably lead to some minor localised adverse effects in relation to [the] sustainability themes, the comprehensive approach initiated by the Neighbourhood Plan will both limit the potential magnitude of adverse effects and secure significant enhancements. The location and topography of the proposed allocation at the Land North of Low Lane will also preclude to negative impacts on the special qualities of or viewpoints from the North Wessex Downs AONB and the Stonehenge, Avebury and Associated Sites World Heritage Site. In terms of potential negative effects, whilst the allocation of the greenfield site at the Land North of Low Lane will lead to an inevitable loss of agricultural land, this is not deemed to comprise a significant negative effect. This is given the relatively small area that will be lost to development and the land’s classification as

Grade 3b agricultural land (i.e. an area not classified as area of ‘the Best and Most Versatile’ agricultural land). The CCNP has also sought to preserve the productivity of areas of land through promoting allotment provision. Notwithstanding this, some residual negative effects are likely to remain in relation to the ‘Land, Soil and Water Resources’ sustainability theme.”

The consultation bodies Natural England, the Environment Agency and Historic England were consulted on the Scoping Report and consultation responses were received from all three organisations. These comments, and how they were considered and addressed, are presented in Table 2.1 of the Sustainability Appraisal. However, a representation on behalf of the Bowood Estate comments:

“The substantial community benefits of allocating land South West of Calne have not been fully reflected in the Sustainability Appraisal. It is accepted that this is in part due to certain benefits of the Land South West of Calne only having crystallised recently, and in particular the opportunity to deliver key community infrastructure in the form of the new healthcare facilities. However, for reasons set out in the commentary below, the ranking of preferences is also considered to be flawed for wider reasons. Given that the imperative is for the CCNP to be sound in terms of meeting the community objectives that it has set, it is important to revisit the Sustainability Appraisal in the light of the full portfolio of benefits associated with each site option and based on an accurate assessment of the comparative merits of the respective options”. As noted earlier, the test at Examination is whether the proposed site allocation – and the Plan more generally - represents sustainable development not whether some alternative might, perhaps with an adjustment to weights or factors considered, be somehow more sustainable. The community is entitled to express their preferences provided that in doing so they do not promote unsustainable development; they can only express their preferences on the basis of the information available at the relevant juncture in the plan-making process (although it is evident that both non-site specific and site-specific preferences have been expressed within the consultation processes). There is no indication that an iterative process would have been justified, valued or overall beneficial. Therefore I must conclude that the Sustainability Appraisal, as an assessment of the effects of the community’s Plan, is not significantly flawed in the ways suggested in the representation.

A copy of each of the above Reports was included as a supporting document for the Neighbourhood Plan. Particularly in the absence of any adverse comments on the Appraisal from the statutory bodies or the Local Planning Authority, I can confirm that the screening and Appraisal undertaken were appropriate and proportionate and confirm that the Plan has sustainability at its heart.

The Calne Community Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998. No evidence has been put forward to demonstrate that this is not the case.

Taking all of the above into account, I am satisfied that the Calne Community Neighbourhood Plan is compatible with EU obligations and that it does not breach, nor is in any way incompatible with the ECHR.

## Conclusions

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as some of the supporting text and maps, in the Plan. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the Basic Conditions are met. Whilst I have proposed a significant number of modifications, the Plan itself remains fundamentally unchanged in the role and direction set for it by the Qualifying Body. Where deletions have been recommended because of inappropriate repetition of Core Strategy content, the policy requirements within the Wiltshire Core Strategy will still be effective.

I therefore conclude that, subject to the modifications recommended, the Calne Community Neighbourhood Plan:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

**On that basis I *recommend* to the Wiltshire Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Calne Community Neighbourhood Plan to proceed to referendum.**

### Referendum Area

As noted earlier, part of my Examiner role is to consider whether the referendum area should be extended beyond the Plan area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore ***recommend*** that the Plan should proceed to referendum based on the Neighbourhood Area as approved by the Wiltshire Council on 6<sup>th</sup> May 2014.

**Recommendations:** (this is a listing of the recommendations exactly as they are included in the Report)

Rec.	Text	Reason
1	<i>In the Basic Conditions Statement add to para 4: 'This has been confirmed where appropriate by Wiltshire Council and Hampshire County Council'; correct para 3 by removing the reference to "GANP".</i>	For clarity and correction
2	<p><i>In relation to the designation of the Calne and Calne Without Neighbourhood Area:</i></p> <ul style="list-style-type: none"> <li>• <i>correct the designation date shown at para 26 and provide a webpage reference to the designation decision;</i></li> <li>• <i>on page 20 use the titles that match with those used in the document as a whole – 'Calne Community Neighbourhood Plan' and 'Calne and Calne Without Neighbourhood Area' – and relate the title to the map along these lines: The Calne Community Neighbourhood Plan relates to the designated Calne and Calne Without Neighbourhood Area;</i></li> <li>• <i>amend the map on page 20 to show the single designated Area.</i></li> </ul>	Corrections
3	<i>Amend the front cover to include and give prominence to the Plan period.</i>	For clarity
4	<i>Revisit, update and revise the Foreword.</i>	For clarity and correction
5	<i>Amend the references in paras 5 &amp; 6 of the Foreword to a "parish referendum" to read simply 'referendum'.</i>	Correction
6	<i>Reword para 2 sentence 2 of the Introduction along these lines: 'Wiltshire Council will determine planning applications within Calne and Calne Without in accordance with the Development Plan, which includes the Neighbourhood Plan, unless material considerations indicate otherwise (see <a href="#">section 38(6) of the Planning and Compulsory Purchase Act 2004</a>).'</i>	For clarity and correction
7	<i>Delete para 9 of the Introduction and renumber subsequent paragraphs.</i>	For clarity and correction
8	<i>In para 10 add a cross-reference to the Basic Conditions Statement along these lines:</i>	For clarity

	<i>'More detail on the ways in which this Plan addresses sustainable development is included within the Basic Conditions Statement that accompanies the Plan.'</i>	
9	<i>In para 19 replace the final sentence with: 'However, piecemeal development has exceeded the housing numbers set out in the Wiltshire Core Strategy (January 2015) and there is no longer an indicative housing requirement in Calne Town or in the Calne Community Area remainder areas and therefore no requirement for this Plan to allocate sites for housing (see <a href="#">Wiltshire Council Housing Land Supply Statement dated March 2017</a>).'</i>	For clarity and correction
10	<i>At the end of para 50, add a cross-reference to the Consultation Statement along these lines: 'More detail on the ways in which these Objectives have been derived is included within the Consultation Statement that accompanies the Plan.'</i>	For clarity
11	<i>Review the content of the table at para 51 in the light of modifications made to the Plan prior to the Referendum.</i>	For clarity and correction
12	<i>Amend the second bullet point under the sub-heading 'Housing &amp; Infrastructure Issues' to read: 'Recent growth has not been mirrored by infrastructure provision'.</i>	For clarity and correction
13	<i>Within the Housing &amp; Infrastructure section, distinguish between the two 'Background' sub headings along these lines: 'Background Community Data' and 'Housing Requirements'.</i>	For clarity
14	<i>Adopt a common paragraph numbering system throughout the Plan document that allows the Plan content to be readily and confidently referenced.</i>	For clarity
15	<i>In para 2.1 update the reference to the Wiltshire Council Housing Land Supply Statement to March 2017. Update as required and amend the table at paragraph 2.1 to refer, in the first column, to 'Calne Community Area remainder' instead of 'Remainder of Core Strategy Calne Area' and in the note underneath this table to 'The Calne Community Area remainder covers.....'</i>	For clarity and correction

16	<i>In para 2.2 add the source reference for the housing growth figures quoted (not least to provide the housing numbers from which the percentage figures as used are derived).</i>	For clarity
17	<i>Para 2.3, first bullet point: add to the second sentence ‘....beyond the housing itself.’</i>	For clarity and correction
18	<i>Para 2.3, first bullet point: add following the two quotations from the Wiltshire Core Strategy, respectively, ‘para 5.39’ and ‘para 5.41’.</i>	For clarity
19	<i>Para 2.3, third bullet point: add after ‘Air Quality Management Area’ the reference <a href="http://www.wiltshireairquality.org.uk/air-quality/air-quality-management-areas">www.wiltshireairquality.org.uk/air-quality/air-quality-management-areas</a>; replace the final sentence with: ‘The Calne Air Quality Action Plan (August 2016 <a href="http://www.wiltshireairquality.org.uk/reports">www.wiltshireairquality.org.uk/reports</a>) identifies as its top priority “to reduce the number of motor vehicles, especially HGVs, which pass through the Calne Air Quality Management Area wherever possible”.’</i>	For clarity
20	<i>Add to para 3.3: ‘Wiltshire Core Strategy Policies CP1 &amp; CP2 provide the bases on which the settlement strategy will be progressed.’</i>	For clarity
21	<i>Add to para 3.4: ‘The Wiltshire Core Strategy at para 4.33 acknowledges: “Neighbourhood Plans should not be constrained by the specific housing requirements within the Core Strategy and additional growth may be appropriate and consistent with the Settlement Strategy (Core Policies 1 and 2)”. But further it is stated (para 4.17): “Proposals for improved local employment opportunities, housing growth (over and above that allowed by this Core Strategy) and/or new services and facilities outside the defined limits of development will not be supported unless they arise through community-led planning documents, such as neighbourhood plans, which are endorsed by the local community and accord with the provision of this plan”.’</i>	For clarity
22	<i>Add to para 3.7, either as a reference or a footnote: <a href="#">Site Appraisal for the Calne Community Neighbourhood Plan, AECOM Feb 2016</a></i>	For clarity

23	<i>Improve and/or source reference the map used to illustrate para 3.10.</i>	For clarity
24	<i>Delete the map below the Policy and reword Policy H1 (text in red) as: 'Approximately 20ha of Land North of Low Lane, Calne – as identified on Policies Map 4 - is allocated for housing development within the terms of the extant planning consents 14/11179/OUT, 16/12380/REM and 17/00679/OUT'.</i>	For clarity
25	<i>Amend the information text box regarding the allocated site to show a title of 'Land North of Low Lane, Calne' and under Capacity: '295 dwellings across the whole site'.</i>	For clarity and correction
26	<i>Reword Policy H2 as: 'Proposals for residential development consisting of eleven or more dwellings will be required to include an affordable housing element subject, where appropriate, to the assessed viability of the development. The requirement is for at least 30% Affordable Housing but proposals must consider and address the current evidence of housing need; the mix of affordable housing may vary site-by-site on the basis of the evidence but will approximate to 60% affordable rented and 40% shared ownership.'</i>	To ensure the Policy meets the Basic Conditions
27	<i>Reword Policy H3 as: Development proposals should include a suitable mix of dwelling sizes informed by and addressing the current and demonstrable needs for the community within which the site is located in accordance with Core Policy 45. The range is likely to include 1 &amp; 2 bedroom small homes, larger 3 &amp; 4 bedroom family homes, executive housing and affordable housing. Specific consideration should be given to the inclusion of bungalows and other types of accommodation suitable for people who are elderly and/or disabled. Specific consideration should also be given to the inclusion of plots for self-build houses.</i>	To ensure the Policy meets the Basic Conditions
28	<i>Delete paras 6.1 &amp; 6.2 and Policy H4; renumber subsequent Policies and any cross-references and amend the Contents</i>	To ensure the Basic Conditions are met

	<i>page accordingly.</i>	
29	<p><i>Rewrite the second and third sentences of para 7.2 to read:</i></p> <p><i>'Given that the Calne Community area has already exceeded the housing requirements set out for it by the Core Strategy, the Neighbourhood Plan seeks to ensure that new windfall developments always have appropriate regard for the scale and character of the local community in which they are set.'</i></p> <p><i>Delete para 7.4 and renumber the remaining paragraphs accordingly.</i></p>	For clarity and correction
30	<p><i>Reword Policy H5 as:</i></p> <p><i>Small windfall housing proposals will be supported provided they:</i></p> <ul style="list-style-type: none"> <li>• <i>accord with the limits of development provisions of Core Policy 2, and</i></li> <li>• <i>have a capacity appropriate, both individually and cumulatively, to the size, role and function of the settlement or part of the settlement within which they are located, and</i></li> <li>• <i>consider and address their interaction with the surrounding area, and</i></li> <li>• <i>(excepting Calne Town Centre) have a direct highway frontage, and</i></li> <li>• <i>have a safe highway access.</i></li> </ul> <p><i>In accordance with Core Policy 2, other than in circumstances as permitted by other policies within the development plan, development will not be permitted outside the limits of development, those limits being shown on the Policies Maps 2 &amp; 4.</i></p>	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions
31	<i>Move the content of paras 8.1 – 8.3 and the related Policy commitment to Section 2; renumber subsequent Policies and any cross-references and amend the Contents page accordingly.</i>	To ensure the Basic Conditions are met
32	<p><i>Reword Policy H7 as:</i></p> <p><i>Development proposals must consider, assess and address their infrastructure requirements and plan the related programmes of work to ensure that these dovetail together and minimise any disruption to the community.</i></p>	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions

33	<p>Re-punctuate the second sentence of Policy GA1 as:  <i>This should be achieved through maximising:</i></p> <ul style="list-style-type: none"> <li>• <i>the potential for cycling and walking throughout the site, and</i></li> <li>• <i>linkages, including bus connections, through to the relevant town or village centre, employment provision and services &amp; facilities located elsewhere in Calne or Calne Without.</i></li> </ul>	For clarity
34	<p>Reword the opening paragraph of Policy GA2 as:  <i>'Development proposals that detrimentally impact the highway network in terms of congestion and/or safety must include for the appropriate mitigation of these impacts by highway improvements and/or financial contributions for the measures required.'</i></p>	For clarity and correction
35	<p>Delete the section headed 'Town Centre Masterplan' (including Policies T1 – T4) and review and expand the content of the sub-section headed 'Calne Town Centre' as recommended below; amend the Contents page accordingly.</p>	For clarity and avoid duplication
36	<p>Reduce Policy WS1 to the following and delete pre-amble paras 15.6 – 15.9:  <i>'Proposals for employment development within Calne &amp; Calne Without will be supported subject to compliance with all relevant development plan policies. Proposals for the retention, regeneration and intensification of previously developed employment land are particularly encouraged.'</i></p>	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions
37	<p>Reduce Policy WS2 to the following and renumber it as WS2.1:  <i>'Development proposals within Calne Town Centre must consider, assess and address their impact on the streets, pavements, parking areas and other public spaces and the opportunities provided to improve the quality, accessibility and safety of the public realm and benefit businesses and customers alike.'</i></p>	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions
38	<p>After Policy WS2.1 add a preamble paragraph 16.4 along the lines below and</p>	For clarity and to ensure the Basic Conditions are met

	<p><i>the map of the Town Centre derived from the Masterplan document:</i></p> <p><i>'In parallel with the preparation of the Neighbourhood Plan, the Calne Town Centre Masterplan, published as a vision document and adopted by the Town Council in April 2014 [on-line ref], has been evolving in greater detail; an updated Plan is likely to be published during the lifetime of this Plan. For the purposes of the Masterplan and the Neighbourhood Plan policies, the area of the Calne Town Centre is defined on the map below.'</i></p> <p><i>It is vital that the April 2014 version of the Masterplan, as copied to me, is available via the Masterplan webpage (<a href="http://www.calne.gov.uk/Masterplan.aspx">www.calne.gov.uk/Masterplan.aspx</a>) and that it is directly referenced within the Plan document (eg as above) wherever a cross-reference is relevant.</i></p>	
39	<p><i>Reuse the wording of paras 19.2 &amp; 19.3 as new preamble paragraphs 16.5 &amp; 16.6. Add Policy WS2.2 as follows:</i></p> <p><i>'Development proposals within or immediately adjacent to the defined Calne Town Centre must consider and address their relationship to the vision set out in the Calne Town Centre Masterplan (April 2014) and the evolving plans deriving from that. Proposals should demonstrate how they contribute to the Masterplan objectives and dovetail with ambitions for the Town Centre as a whole. In particular, proposals that have the potential to benefit vehicular, pedestrian and cycle movement within the Town Centre, helping to tackle issues identified within the Masterplan, should consider and address opportunities as part of their scheme.'</i></p>	For clarity and to ensure the Basic Conditions are met
40	<p><i>Amend and reduce Policy WS3 to the following:</i></p> <p><i>Para 1: replace "local neighbourhood..." with 'local neighbourhood convenience...'</i></p> <p><i>Para 2: 'Development proposals that add to and/or sustain the distribution of local neighbourhood convenience shops, designed to be accessible primarily on foot or by cycle, will be supported subject to compliance with all relevant development plan policies.'</i></p>	For clarity and to ensure the Policy meets the Basic Conditions
41	<i>Delete Policy WS4 and move the content of</i>	To ensure the Basic Conditions are

	<i>its pre-amble to Section 2 to provide a watching brief to the Town &amp; Parish Councils for further work as matters related to the Beversbrook site are progressed; amend the Contents page accordingly.</i>	met
42	<i>Reword para 1 of Policy CF1 as: 'Development proposals should consider, assess and address their opportunities to contribute to the health and wellbeing of the community at a scale relevant to the proposal.'</i>	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions
43	<i>Delete the section Education Facilities and the related Policy CF2 (but perhaps move some of the content of its pre-amble, corrected as needed, to Section 2 to provide a watching brief to the Town &amp; Parish Councils for further work as schools' provision is progressed); renumber subsequent policies and amend the Contents page accordingly.</i>	To ensure the Basic Conditions are met
44	<i>Include within the pre-amble to Policy CF3 brief details of any new community facilities being sought. Carefully edit the listing of "community assets" at para 26.2 so as to ensure the content is only that which has a realistic prospect of the protection that is at the core of the Policy.</i>	For clarity and correction
45	<i>Reword Policy CF3 as: Development proposals that consider and address their potential to retain, improve and/or add community facilities will be supported subject to compliance with all relevant development plan policies. Any redevelopment proposals will only be supported if the facility affected is replaced by an equivalent or better provision in an equally suitable location.</i>  <i>Development proposals that would result in the loss of community facilities will be resisted unless it can be demonstrated that the facility is no longer viable or that adequate alternative provision is available. In rural areas Core Policy 49 will apply requiring a comprehensive marketing plan.</i>	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions
46	<i>Retitle Policy BE1 as 'Integration &amp; Landscaping' and Policy BE2 as 'Design Principles for Local Distinctiveness'; the Contents page should be amended</i>	For clarity

	<i>accordingly.</i>	
47	<p><i>Recast Policy BE1 as follows:</i>  <i>Policy BE1 – Integration &amp; Landscaping</i>  <i>All development proposals must provide appropriate landscaping to integrate the existing and new built form and landscape; the landscaping treatment should:</i></p> <ul style="list-style-type: none"> <li>• <i>minimise but not obliterate views of the development (except where other treatments are advised from the visual impact assessment); and</i></li> <li>• <i>use stands of trees to either restrict or focus views of the development and to break up the outline of buildings; and</i></li> <li>• <i>extend existing landscaping ensuring that existing built form and community identity of streets and areas are not adversely affected; and</i></li> <li>• <i>ensure that access routes are attractive and safe; and</i></li> <li>• <i>contribute to supporting native fauna where possible, using the latest research to support choices, which may include non-native species where these may be more tolerant to future climate change; and</i></li> <li>• <i>for developments with a countryside edge, build density should reduce toward the countryside with larger areas dedicated to gardens; and</i></li> <li>• <i>for developments within Calne on the main approaches into town, allow for a wide boulevard on the main frontage to create a high quality environment.</i></li> </ul> <p><i>Proposals must be accompanied by a plan showing the extent and form of the landscaping as well as details of how these will be managed and maintained upon completion.</i></p>	For clarity and to ensure the Policy meets the Basic Conditions
48	<i>Within Policy BE2 paragraph 3 replace “They should...” with “All new buildings should...”.</i>	For clarity
49	<i>In order to meet the Basic Conditions reword para 1 of Policy BE3 as:</i> <i>‘All residential development proposals, including change of use to residential, must provide adequately for off-street parking in accordance with the standards set out in the</i>	To ensure the Basic Conditions are met

	<a href="#"><u>Wiltshire Car Parking Strategy 2011 - 2026.</u></a>	
50	<i>In para 30.6 replace ‘Scheduled Ancient Monuments’ with ‘Scheduled Monuments’.</i>	Correction
51	<i>Amend and reduce Policy BE4 to the following: ‘Development proposals within or affecting the Calne or Derry Hill Conservation Areas must take account of their distinctive characters, including their open spaces and natural features, and reflect these in the proposed layout, design, form, scale, mass, use of materials and detailing.’</i>	To ensure the Basic Conditions are met
52	<i>Correct, both within para 31.2 and Appendix 1, the quotation from para 77 of the NPPF; add within para 31.3 ‘see Appendix 1’ after the word “assessed”.</i>	Correction
53	<i>Delete from Policy NE1, Appendix 1 and the Policy Map the site listed as ‘Land to the Rear of Atcherly Close/Road’; delete paras 2 &amp; 3 of the Policy since it is the NPPF that sets down the status of land designated as Local Green Space.</i>	To ensure the Basic Conditions are met
54	<i>Add in Appendix 1 to the text entry for ‘The Allotment Gardens site to the South of Castle Walk, Calne’ the following: ‘In the Report of the Appeal Decision Appeal Ref: APP/Y3940/W/3158241 (Decision date: 22nd February 2017) it is noted inter alia that this site (para 8) “performs an important role in the transition between the built up area at the south western edge of the town and the tranquil, and distinctly rural, landscape character of the river valley to the west. In views from the public footpath along the valley floor to the west the site appears as a substantial block of mature woodland and helps to provide an attractive setting for the built area of the town. From here it can be seen that built development is limited, on both sides of the valley, to the upper slopes and that the lower slopes and valley floor extend as a green lung further into the town. An appreciation of the generous width of the valley can also be gained from the estate road, footpaths and from some of the houses within the Bowood View development which all provide for good views of the extent of mature vegetation on</i>	For clarity and to ensure the Basic Conditions are met

	<i>the site and the contribution that this makes to the rural character of the river valley”; (para 18) “The appellant had previously questioned whether the appeal site should be regarded as an element of Green Infrastructure but conceded at the Hearing that it does have this status”; (para 39) “I find that the appeal site should be regarded as an area of nature conservation value for the purposes of CS Core Policy 50”.</i>	
55	<i>Delete the section ‘Open Space and Green Infrastructure’ including Policy NE2 in the absence of evidence that the Basic Conditions are met; renumber subsequent Policies and amend the Contents page accordingly.</i>	To ensure the Basic Conditions are met
56	<i>Delete the final sentence of para 33.1.</i>	Correction
57	<p><i>Rephrase Policy NE3 as follows: Proposals for new development must respect the pastoral setting of Calne &amp; Calne Without and accordingly must assess and address, with mitigation where appropriate, their impact on:</i></p> <ul style="list-style-type: none"> <li><i>• the sensitive rural edges of the town and villages where views both in and out and linkages are an integral part of the character of these places; and</i></li> <li><i>• the physical separations between communities; and</i></li> <li><i>• the dominance of the natural features that provide the setting for these settlements such as the valley setting of Calne below rural hilltops; and</i></li> <li><i>• the un-urbanised qualities of the country lanes, and</i></li> <li><i>• tranquillity and the need to protect against intrusion from light pollution, noise, and motion.</i></li> </ul> <p><i>Wherever possible, development should deliver enhancements to the landscape character including well integrated additional planting.</i></p> <p><i>In the River Marden Valley proposals for new development must assess and address, with mitigation where appropriate, their impact on the character, appearance, setting, recreational use and tranquillity of the valley including the Castlefields Canal &amp; River Park. In particular, to be supported,</i></p>	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions

	<p><i>proposals for recreation and tourism purposes will demonstrate how they:</i></p> <ul style="list-style-type: none"> <li>• <i>enhance the existing landscape, and</i></li> <li>• <i>retain visual separation between townscape and the rural valley setting, and</i></li> <li>• <i>not prejudice and where possible support the full or partial restoration of the Wilts &amp; Berks Canal, and</i></li> <li>• <i>maintain and where possible enhance the existing rights of way.</i></li> </ul>	
58	<p><i>Reword Policy NE4 as follows: 'In addressing Core Policy 50, development proposals for Calne &amp; Calne Without should consider, assess and address their potential to:</i></p> <ul style="list-style-type: none"> <li>• <i>create additional habitat space, including roosting, nesting or shelter opportunities for wildlife, and</i></li> <li>• <i>facilitate or include wildlife corridors, and</i></li> <li>• <i>protect and enhance riparian corridors for protected species, such as otter, kingfisher and water vole, especially along the River Marden and the Wiltshire &amp; Berkshire Canal to the west of Calne.'</i> </li></ul>	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions
59	<p><i>Delete the section 'Renewable Energy' including paras 35.1 - 35.3 and Policy NE5; renumber any subsequent Policies and amend the Contents page accordingly.</i></p>	To ensure the Basic Conditions are met
60	<p><i>Replace paras 36.1 – 36.3 with:</i></p> <p><i>36.1 Calne and Calne Without wish to establish the environment and energy conservation in particular as a key concern. New buildings that have, by design, the technology to source and conserve energy from renewable or sustainable sources would be a distinct expression of Calne civic pride and priorities.</i></p> <p><i>36.2 Policy CP41 of the Wiltshire Core Strategy supports the same endeavour by requiring a Sustainable Energy Strategy for all major development. The Calne and Calne Without Neighbourhood Plan can further encourage developers to be aspirational and distinctive in their contribution to energy conservation.</i></p>	For clarity
61	<p><i>Reword Policy NE6 as:</i></p>	To ensure the Policy meets the Basic

	<i>'Prospective developers should aim to be both aspirational and distinctive in terms of their developments within Calne and Calne Without making a substantial contribution to energy conservation.'</i>	Conditions
62	<i>Delete the section 'Flooding' including paras 37.1 - 37.3 and Policy NE7; amend the Contents page accordingly.</i>	To ensure the Basic Conditions are met
63	<p><i>Review the sub-section 'Implementation and Delivery' in the light of changes made to the Plan content and for accuracy in particular as follows:</i></p> <p><i>Para 54 sentence 2: replace "Financial contributions will be sought..." with 'As provided for within national planning policy, appropriate financial contributions will be obtained....'</i></p> <p><i>Amend the table included within para 55 to exclude Policies now deleted and correct numbering as appropriate.</i></p> <p><i>Para 60 refers to "LEP programmes" but I note that the Swindon &amp; Wiltshire Local Enterprise Partnership is not included within the Partners listed at the head of this section (and therefore the LEP acronym has not yet been explained) and that Calne is not apparently within the Growth Zones identified by the LEP; correct the content appropriately to the actual position.</i></p>	For clarity and correction
64	<p><i>Amend the final sentence of para 63 to read:</i></p> <p><i>'In accordance with best practice, Calne Town &amp; Calne Without Parish Councils and their partners will undertake a review of the Neighbourhood Plan no later than 2022.'</i></p>	For clarity and correction
65	<i>Review the content of the Glossary to ensure that all planning terms are included and briefly explained.</i>	For clarity
66	<i>Retitle Appendix 1 as 'Assessment of Local Green Spaces proposed for designation under the National Planning Policy Framework (NPPF) criteria'; amend the Contents page accordingly.</i>	For clarity and correction
67	<i>Bring the Policy Maps into line with the revised Policy content and numbering as</i>	For clarity and correction

	<i>appropriate; add larger scale maps to identify clearly the boundaries of the Local Green Space designations within Calne and Derry Hill/Studley.</i>	
68	<i>Replace “Some of the issues identified were non-planning issues and so cannot be included in the main body of the Neighbourhood Plan” in sentence 2 of the opening paragraph on p110 with: ‘Some of the issues identified did not relate to the development and use of land and therefore could not be included in the main body of the Neighbourhood Plan’.</i>	For clarity
69	<i>Review the content of Section 2 in the light of the recommended changes to Section 1.</i>	For clarity and correction