

PURTON NEIGHBOURHOOD PLAN DECISION STATEMENT (PROCEEDING TO REFERENDUM)

1. INTRODUCTION

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

2. BACKGROUND

- 2.1. The designated area for the Purton Neighbourhood Plan comprises the whole of the parish of Purton. On 5th December 2016 Wiltshire Council formally approved that the Purton Neighbourhood Area (i.e. the land within the parish of Purton) be designated in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.2. Purton Parish Council – the ‘qualifying body’, submitted the draft Purton Neighbourhood Plan, along with supporting documents, to Wiltshire Council on 10th January 2018 for consultation, independent examination and the remaining stages of the draft Plan’s preparation in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.3. Following submission of the draft Purton Neighbourhood Plan, Wiltshire Council publicised the Plan and supporting documents and invited representations during the consultation period 5th February 2018 to 20th March 2018.
- 2.4. In March 2018, Wiltshire Council appointed an independent examiner, Liz Beth BA (Hons) MA MRTPI Dip Design in the Built Environment, to examine the Plan and consider whether it should proceed to referendum.
- 2.5. The examiner’s report was received in July 2018 and concluded that subject to making the modifications recommended in the report, that the draft Plan meets the Basic Conditions and should proceed to referendum. The examiner also recommended that the Purton Neighbourhood Area (the parish area) is an appropriate area within which to hold a referendum.
- 2.6. In accordance with legislation, Wiltshire Council must consider each of the recommendations made in the examiner’s report, decide what action to take in response to each recommendation and what modifications should be made to the draft Plan in order to be satisfied that it meets the Basic Conditions and is compatible with

Convention Rights. If the authority is satisfied then a referendum must be held. Consideration also needs to be given as to whether to extend the area to which the referendum is to take place.

3. DECISION AND REASONS

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

Signed:



Tim Martienssen
Director Economic Development & Planning
Wiltshire Council

Dated: 17th August 2018

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

Guidance for using this document

The following table sets out the modifications that are required in order to address the recommendations set out in the Examiner's report together with the explanation / reason for modification. This should be read alongside the report of the independent examiner to Wiltshire Council on the Purton Neighbourhood Plan (December 2017).

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

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

The relevant paragraph, policy and page numbering relates to the draft Purton Neighbourhood Plan (December 2017) (hereafter referred to as the 'Purton NP'), as submitted to Wiltshire Council.

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

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

Reference number	Page in Examiner's Report	Related Purton NP page / section	Recommendation and proposed modification	Reason for modification
R1	Page 5; Modification 1	front cover	<p>EXAMINER RECOMMENDATION:</p> <p>Show the date of the Purton NP on the front cover to be from 2017 – 2026.</p> <p>REQUIRED MODIFICATION:</p> <p>Front cover:</p> <p><i>"Purton Neighbourhood Plan December 2017 – 2026"</i></p>	To comply clearly with the legislative requirement that the Plan specifies the period for which it has effect.
R2	Page 13; Modification 2	Basic Conditions Statement, page 6, paragraph 27	<p>EXAMINER RECOMMENDATION:</p> <p>Basic Conditions Statement, paragraph 27, page 6: replace "Sustainability Appraisal" with "Screening Opinion"</p> <p>REQUIRED MODIFICATION:</p> <p>Basic Conditions Statement, paragraph 27, page 6:</p> <p><i>"A Sustainability Appraisal Screening Opinion Report has been produced to meet the requirements of the SEA Directive and Regulations to confirm that the Neighbourhood Plan achieves the principles of sustainable development."</i></p>	For reasons of accuracy.
R3	Page 13; Modification 2	Page 7, paragraph 1.17	<p>EXAMINER RECOMMENDATION:</p> <p>Purton NP, paragraph 1.17: refer to submission in past tense</p>	For reasons of accuracy.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p>REQUIRED MODIFICATION:</p> <p>Purton NP, paragraph 1.17:</p> <p><i>"The Neighbourhood Plan has been updated to reflect the feedback from the Regulation 14 consultation and was is now ready to be formally submitted to Wiltshire Council for Independent Examination."</i></p>	
R4	Page 13; Modification 2	Page 7, paragraph 1.19	<p>EXAMINER RECOMMENDATION:</p> <p>Purton NP, paragraph 1.19: refer to Cricklade NP as made</p> <p>REQUIRED MODIFICATION:</p> <p>Purton NP, paragraph 1.19:</p> <p><i>"Purton Parish Council Neighbourhood Plan Steering Group has liaised and will continue to liaise with the adjoining parishes of Cricklade Lydiard Millicent and Haydon Wick to develop complementary policies for the local area which serve to advance the aims and objectives of all the neighbouring areas. The Cricklade Neighbourhood Plan was made on the 8th March 2018. has been formally submitted to Wiltshire Council for Regulation 16 Consultation."</i></p>	For reasons of accuracy.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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R5	Page 15; Modification 3	Pages 18-19, Policy 1	<p>EXAMINER RECOMMENDATION:</p> <p>Change Policy 1 to:</p> <p><i>“Development of the undeveloped land at:</i></p> <ul style="list-style-type: none"> • <i>Land at Mope Lane identified as part of Purton Brickworks and,</i> • <i>Penn Farm Industrial Site.</i> <p><i>Is encouraged to provide opportunities for local employment including opportunities for small business units and incubator units for start-up enterprises including such activities as communication technologies, knowledge based and creative industries, environment, rural enterprises, accounting and financial services or similar. Land and buildings and building designated for, and in, employment use at Purton Brickworks and Penn Farm are to remain in employment uses (Class B as appropriate) to protect these valuable employment locations from alternative development.</i></p> <ul style="list-style-type: none"> • <i>Mopes Lane (Purton Brickworks): Development shall respect the character and setting of the Grade II listed House at 33 New Road (List entry 1283837) which is located next to the southeast corner of the site and any adjacent or nearby existing residential property.</i> • <i>Penn Farm Industrial Site: B1 employment use is preferred at this site. Development proposals will need to demonstrate that any adverse impact on nearby residential property is acceptable or can</i> 	To ensure that the policy complies with the Basic Conditions and deals with land use issues.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

Reference number	Page in Examiner's Report	Related Purton NP page / section	Recommendation and proposed modification	Reason for modification
			<p><i>be mitigated, and that the traffic impact of the development will not cause increased highway safety issues and or impact on the residential amenity of residents including properties on New Road.</i></p> <ul style="list-style-type: none"> • <i>Any proposals for development on this land shall demonstrate how any potential flood risk will be dealt with, including appropriate mitigation measures if necessary, so that no increased flood risk is created on or off the site.</i> <p>REQUIRED MODIFICATION:</p> <p>Policy 1, page 18-19:</p> <p><i>“Development of the undeveloped land at:</i></p> <ul style="list-style-type: none"> • <i>Land at Mope Lane identified as part of Purton Brickworks and,</i> • <i>Penn Farm Industrial Site.</i> <p><i>Is encouraged to</i> provide opportunities for local employment <i>within Use Class B1 of The Town and Country Planning (Use Classes) Order 1987 (as amended) due to the small size and limited access of both sites. Development to including</i> opportunities for small business units and incubator units for start-up enterprises including such activities as communication technologies, knowledge-based and creative industries, environment, rural enterprises, accounting and financial services or similar, <i>and is to retain the Land and buildings and building</i> <i>designated for, and in,</i> employment use at Purton Brickworks</p>	

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

Reference number	Page in Examiner's Report	Related Purton NP page / section	Recommendation and proposed modification	Reason for modification
			<p>and Penn Farm <u>are to remain in employment uses (Class B as appropriate)</u> for employment to protect these valuable employment locations from alternative development.</p> <p><i>Conditions:</i></p> <ul style="list-style-type: none"> • Mopes Lane (Purton Brickworks): Development of the site shall respect the character and setting of the Grade II listed House at 33 New Road (List entry 1283837) which is located next to the southeast corner of the site <u>and any adjacent or nearby existing residential property.</u> • Penn Farm Industrial Site: <u>B1 employment use is preferred at this site. Development proposals will need to demonstrate that any adverse impact on nearby residential property is acceptable or can be mitigated, and that the traffic impact of the development will not cause increased highway safety issues and/or impact on the residential amenity of residents including properties on New Road.</u> property is should only take place if the land gains vehicular access via Mopes Lane as the existing access to New Road from the main road does not have the capacity to take additional commercial traffic. • Any proposals for development on this land shall demonstrate how <u>any potential flood risk will be dealt with, including appropriate mitigation measures if necessary, so that no increased flood risk is created on or off the site.</u> would prevent 	

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<i>the flooding of this land and any other land that would be affected by the development."</i>	
R6	Page 16; Modification 4	Page 21, Policy 2	<p>EXAMINER RECOMMENDATION:</p> <p>Change Policy 2 to:</p> <p><i>"Opportunities to improve pedestrian and traffic safety will be sought for the road junction and parking area at Lower Square at the junction of the High Street, Station Road and Church Street. Works funded by local parish CIL money and other sources will be directed to implementing works that improve pedestrian and traffic safety at this junction."</i></p> <p>REQUIRED MODIFICATION:</p> <p>Page 21, Policy 2:</p> <p><i>"Opportunities to improve pedestrian and traffic safety will be sought for the road junction and parking area at Lower Square at the junction of the High Street, Station Road and Church Street. Works funded by local parish CIL money and other sources will be directed to implementing works that These shall be the subject of a feasibility study funded by CIL resources with a view to changing the existing arrangements in order to improve pedestrian and traffic safety at this junction."</i></p>	To ensure that the policy is accurate in its identification of funding potential and keeps to land use issues, not the project management detail.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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R7	Page 17; Modification 5	Page 23, Policy 4	<p>EXAMINER RECOMMENDATION:</p> <p>Change Policy 4 to:</p> <p><i>“Proposals for new development should in accordance with Core Policy 50 and the NPPF Chapter 11 seek to identify and implement ecological enhancements wherever possible, such as part of proposed developments, in order to work towards a net gain for biodiversity rather than just to protect existing ecological features/sites.</i></p> <p><i>Local sites of ecological interest are to be retained and enhanced wherever possible in any development proposal. They include the following:</i></p> <ul style="list-style-type: none"> • <i>All County Wildlife Sites and Sites of Nature Conservation Interest</i> • <i>Areas of woodland and other wildlife sites shown on Map 3 (page 14)”</i> <p>REQUIRED MODIFICATION:</p> <p>Page 23, Policy 4:</p> <p><i>“Proposals for new development should in accordance with Core Policy 50-54 and the NPPF Chapter 11 seek to identify and implement ecological enhancements wherever possible, such as part of proposed developments, in order to work towards a net gain for biodiversity rather than just to protect existing ecological features/sites.</i></p>	To ensure that Policy 4 complies with national guidance and policy and thus the Basic Conditions.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p><u>Local sites of ecological interest are to be retained and enhanced wherever possible in any development proposal. They include the following:</u></p> <ul style="list-style-type: none"> • <u>All County Wildlife Sites and Sites of Nature Conservation Interest</u> • <u>Areas of woodland and other wildlife sites shown on Map 3 (page 14)</u> 	
R8	Page 18; Modification 6	Page 24, Policy 5	<p>EXAMINER RECOMMENDATION:</p> <p>Change Policy 5 to:</p> <p><i>“The area shown in green on Map 5 designates an area in which locally important views are taken from the public footpath network, both to and from the escarpments to the north of the village, around Francombe Hill (known locally as High Hills), along the western side of the village up to and including the vista leading up to and around the ancient monument known as Ringsbury Camp. These views are shown on Map 5 which indicates sensitive public views related to the existing built areas. The area named as Purton Common also provides significant public views, as shown on Map 5. Any development in this designated area will be required to maintain the quality of these distinctive public views.”</i></p> <p>REQUIRED MODIFICATION:</p>	To ensure that the intent of the policy is clearer.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p>Page 24, Policy 5:</p> <p><i>"The area shown in green on Map 5 <u>designates an area in which is allocated as open space to remain undeveloped to preserve locally important views are taken from the public footpath network, both to and from the escarpments to the north of the village, around Francombe Hill (known locally as High Hills), along the western side of the village up to and including the vista leading up to and around the ancient monument known as Ringsbury Camp. These views are shown on Map 5 which indicates sensitive public views related to the existing built areas. Although not named specifically in the Purton Parish Plan consultation, The area named as Purton Common also provides a significant public views, lying between Vasterne Hill, Hoggs Lane and Witts Lane is also as shown on Map 5. and shall be protected from development. <u>Any development in this designated area will be required to maintain the quality of these distinctive public views.</u></u></i></p>	
R9	Page 18; Modification 6	Page 24, Map 5	<p>EXAMINER RECOMMENDATION:</p> <p>Amend Map 5 so that the Purton Common views are identifiable.</p> <p>REQUIRED MODIFICATION:</p> <p>Display the Purton Common views on Map 5.</p>	To ensure that Policy 5 complies with the Basic Conditions.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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R10	Page 19; Modification 7	Page 25, Policy 6	<p>EXAMINER RECOMMENDATION:</p> <p>Change Policy 6 to:</p> <p><i>“Development on the land between the western edge of the Swindon urban area and the eastern boundaries of Purton and Purton Stoke, and the hamlets of The Fox and Hayes Knoll should not either individually or cumulatively lead to the coalescence of these settlements and Swindon in order to retain the rural quality and value of these settlements and their setting.”</i></p> <p>REQUIRED MODIFICATION:</p> <p><u>“Development on</u> the land between the western edge of the Swindon urban area and the eastern boundaries of Purton and Purton Stoke, and the hamlets of The Fox and Hayes Knoll <u>should not either individually or cumulatively lead to the coalescence of these settlements and Swindon in order</u> to be retained as open countryside, primarily for agricultural use, to retain the rural quality and value of these settlements <u>and their setting.</u>”</p>	To ensure that Policy 6 complies with the Basic Conditions and is in general conformity with strategic policy in the development plan.
R11	Page 20; Modification 8	Page 25, Policy 7	<p>EXAMINER RECOMMENDATION:</p> <p>Delete the last sentence of the first paragraph of Policy 7.</p> <p>Change the second paragraph of Policy 7 to:</p>	To ensure that Policy 7 complies with the Basic Conditions and is in general conformity with strategic policy in the development plan and the NPPF.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p><i>"Any proposals for development on this land shall demonstrate assessed flood risk and how any necessary flood mitigation measures would prevent the flooding of this land and any other land that would be affected by the development."</i></p> <p>REQUIRED MODIFICATION:</p> <p>Policy 7, page 25:</p> <p><i>"The land that adjoins the main Swindon to Gloucester railway line and comprises Common Farm, land behind Malfords, Locks Lane and part of Widham Farm south of the railway line and New Road to the north of the railway line, though classified for planning purposes as flood zone 1, it is prone to frequent flooding from surface water, see Map 6. Proposals putting forward for this land shall be supported by clear quantified evidence that there are no lower risk alternative sites available.</i></p> <p><i>Any proposals for development on this land shall demonstrate assessed flood risk and how any necessary flood mitigation measures would prevent the flooding of this land and any other land that would be affected by the development."</i></p>	
R12	Page 21; Modification 9	Page 28, Policy 9	<p>EXAMINER RECOMMENDATION:</p> <p>Change Policy 9 to:</p>	To ensure that the policy complies with the Basic Conditions.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p><i>"The retention of the site shown on Map 7 and known locally as 'The Cedars' for the provision of supported living accommodation for elderly people is supported."</i></p> <p>REQUIRED MODIFICATION:</p> <p><i>The land retention of the site shown on Map 7 and known locally as 'The Cedars' is retained for the for the provision of supported living accommodation for elderly people is supported. who have an association with the Parish and who wish to continue to live in Purton village.</i></p>	
R13	Page 21; Modification 9	Page 29, Map 7	<p>EXAMINER RECOMMENDATION:</p> <p>Amend Map 7 in order that it identifies the location of The Cedars correctly.</p> <p>REQUIRED MODIFICATION:</p> <p>Display the correct location of The Cedars in Map 7.</p>	For reasons of accuracy.
R14	Page 21; Modification 10	Page 29, Policy 11	<p>EXAMINER RECOMMENDATION:</p> <p>Change Policy 11 to:</p> <p><i>"The Allotments at Pavenhill, Poor Street (Restrop Road) and off Church Path shown in Map 8 are to be retained for the use of the local community as allotments. Any development proposal on these designated areas will be required to provide an alternative</i></p>	To ensure that the policy complies with the Basic Conditions the NPPF.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p><i>and equivalent area of land as part of that development to be used as allotments in order to continue to provide a social and recreation asset for use by the community."</i></p> <p>REQUIRED MODIFICATION:</p> <p><i>"The Allotments at Pavenhill, Poor Street (Restrop Road) and off Church Path shown in Map 8 are to be retained for the use of the local community as allotments. Any development proposal on these Should any of the designated areas will be required to provide be favoured for development then as part of any permission an alternative and equivalent area of land as part of that development be secured by condition to be used as allotments in order to continue to provide a social and recreation asset focus for use by the community."</i></p>	
R15	Page 21; Modification 11	Page 29, Policy 12	<p>EXAMINER RECOMMENDATION:</p> <p>Add "as public open space" at the end of Policy 12.</p> <p>REQUIRED MODIFICATION:</p> <p>Page 29, Policy 12:</p> <p><i>"The War Memorial and Village Centre, Play Close, the Venture play area, the Dingle and the Cricket Ground identified in Map 9 to be retained for the use of the community as public open space."</i></p>	To ensure that the policy complies with the Basic Conditions.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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R16	Page 22; Modification 12	Pages 34-35, Policy 13	<p>EXAMINER RECOMMENDATION:</p> <p>Add "Where relevant" to the beginning of the second bullet point within the 'Proposed development should' section of Policy 13.</p> <p>REQUIRED MODIFICATION:</p> <p>Page 34-35, Policy 13:</p> <p><i>"Proposed development should:</i></p> <ul style="list-style-type: none"> • <i>respond to the housing needs of Purton in terms of delivering affordable housing, houses for first-time buyers, smaller properties for those who wish to down size or properties that are suited to older persons (including bungalows) in accordance with Wiltshire Core Strategy Core Policies 43, 45 and 46. Land at the former youth centre is particularly suited to providing low cost homes;</i> • <i>where relevant respect the specific character of the Conservation Area and the setting of Purton's historic buildings, including identifying how the form and layout of the development reflects the vernacular, design and materials of the Purton in accordance with Wiltshire Core Strategy Core Policies 57 and 58. This is particularly relevant in relation to allocated sites at Derelict Cottage Farm, land at Northcote and Hooks Hill which affect the immediate setting of designated heritage assets;</i> • <i>protect and preserve biodiversity and the landscape setting of the village in accordance with Wiltshire Core Strategy Core Policies 50 and 51; and opportunities for ecological</i> 	To ensure that the policy meets the Basic Conditions.

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p><i>enhancement/gain will be sought and incorporated within proposed developments;</i></p> <ul style="list-style-type: none"> • <i>wherever possible retain and re-use existing buildings and materials on site; and</i> • <i>retain existing mature trees and hedgerows in accordance with the NWLP 2011 saved policy NE14 Trees and the control of new development."</i> 	
R17	N/A	cover page	<p>WILTSHIRE COUNCIL RECOMMENDATION:</p> <p>Remove the synopsis underneath the title and date on the cover page.</p> <p>REQUIRED MODIFICATION:</p> <p><i>The Neighbourhood Plan has been updated with the comments received during the Regulation 14 Consultation undertaken in accordance with the Neighbourhood Planning (General) Regulation 2012. This Neighbourhood Plan for the parish of Purton will be submitted to Wiltshire Council to be taken forward to the next stage in the process.</i></p>	In the interests of accuracy and clarity
R18	N/A	Forward, page 2, paragraph 5	<p>WILTSHIRE COUNCIL RECOMMENDATION:</p> <p>Refer to submission to Wiltshire Council and appointing of Planning Inspector in past tense.</p> <p>REQUIRED MODIFICATION:</p>	In the interests of accuracy and clarity

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p>Forward, page 2, paragraph 5:</p> <p><i>"This version of the The draft Neighbourhood Plan will be was submitted to Wiltshire Council who will appointed a Planning Inspector to examine our Neighbourhood Plan to ensure it meets met legislation. The final version will be subject to a referendum where when all residents in the parish will have a say on the adoption of our Neighbourhood Plan into Wiltshire's Local Development Plan."</i></p>	
R19	N/A	Forward, page 2, paragraph 4	<p>WILTSHIRE COUNCIL RECOMMENDATION:</p> <p>Forward, page 2, paragraph 4:</p> <ul style="list-style-type: none"> • change "at the beginning of this year (2017)" to "2017" • correct "statuary bodies" to "statutory bodies" <p>REQUIRED MODIFICATION:</p> <p>Forward, page 2, paragraph 4:</p> <p><i>"In October 2016 the draft Neighbourhood Plan was published for comment but further consultation was held until the designation of the Purton Neighbourhood Plan was approved in December 2016. An informal consultation was carried out at the beginning of this year (2017) in 2017 which was followed by the Regulation 14 Pre-consultation carried out in accordance with the statutory requirements of Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The draft</i></p>	In the interests of accuracy and clarity

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<i>Neighbourhood Plan has been amended to reflect the views received from residents of the parish, the statuary statutory bodies including Wiltshire Council and Swindon Borough Council and the adjoining parishes together with the views of Developers known to have an interest in the village."</i>	
R20	N/A	Forward, page 2, paragraph 6	<p>WILTSHIRE COUNCIL RECOMMENDATION:</p> <p>Forward, page 2, paragraph 6, change "identify those things mattered that most to you" to "identify those things that mattered the most to you"</p> <p>REQUIRED MODIFICATION:</p> <p>Forward, page 2, paragraph 6:</p> <p><i>"The Neighbourhood Plan Steering Group has worked with the Parish Council to identify those things that mattered that the most to you about the place where we live and to propose policies that would meet the future needs of the Parish. Unlike our Parish Plan, the Neighbourhood Plan can only deal with planning matters relating to the use or development of land."</i></p>	In the interests of accuracy and clarity
R21	N/A	Chapter 2, page 10, paragraph 1	<p>WILTSHIRE COUNCIL RECOMMENDATION:</p> <p>Correct paragraph number from "3.1" to "2.1".</p> <p>REQUIRED MODIFICATION:</p>	In the interests of accuracy and clarity

APPENDIX 1

Modifications to the draft Purton Neighbourhood Plan (December 2017) in response to the Examiner's recommendations and to correct errors

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			<p>Chapter 2, page 10, paragraph 1:</p> <p>3.1 2.1 <i>The Parish of Purton is predominately rural in character and is situated midway between the market towns of Royal Wootton Bassett to the south and Cricklade to the north. It adjoins the Borough of Swindon to the east which, together with Royal Wootton Bassett, provides the main centres of employment, retail and leisure within the sub region around Swindon.</i></p>	