

## Comments

### Wootton Rivers Neighbourhood Plan (Regulation 16) consultation (30/01/17 to 15/03/17)

<b>Comment by</b>	Wiltshire Council ( Spatial Planning Wiltshire Council)
<b>Comment ID</b>	7
<b>Response Date</b>	15/03/17 17:00
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.3
<b>Files</b>	<a href="#"><u>Wootton Rivers NP Submission Consultation Wiltshire Council Response.pdf</u></a>

**Comment:**

Please find attached Wiltshire Council's comments.

**Do you wish to be notified of the decision on the Wootton Rivers Neighbourhood Plan proposal?** Yes

15 March 2017

Spatial Planning Team  
Economy and Planning  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Dear Sir

**Wiltshire Council Response to 'Wootton Rivers Neighbourhood Plan - Submission Plan, December 2016' (Regulation 16 Consultation)**

Please find attached Wiltshire Council's comments.

Yours faithfully,



Georgina Clampitt-Dix  
Head of Spatial Planning

## **Wiltshire Council Response to ‘Wootton Rivers Neighbourhood Plan - Submission Plan, December 2016’ (Regulation 16 Consultation)**

**15 March 2017**

These comments set out Wiltshire Council’s response to the ‘Regulation 16’ consultation on the Wootton Rivers Neighbourhood Plan (‘WRNP’), which was submitted to the Council on 21 December 2016 and was validated on 26 January 2017.

Wiltshire Council has been advising Wootton Rivers Parish Council and Steering Group about the neighbourhood planning process and matters of conformity with the basic conditions.

The Wootton Rivers Neighbourhood Area was officially designated on 30 March 2015. Comments were provided on a draft plan during the Regulation 14 consultation, which took place from 25 April 2016 to 6 June 2016.

The comments that follow are made in the interests of ensuring that the WRNP is in general conformity with the strategic policies set out in the Wiltshire Core Strategy and can be effectively interpreted by the Council in determining planning applications.

### **Submission of the draft neighbourhood plan**

The draft neighbourhood plan was submitted to Wiltshire Council in December 2016 and validated in January 2017. Wiltshire Council, as local planning authority, has considered the submitted plan and is satisfied that it complies with all of the relevant statutory requirements set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The submitted plan was accompanied by a Basic Conditions Statement and a Consultation Statement.

### **Strategic Environmental Assessment (SEA)**

Natural England, Environment Agency and Historic England, as statutory consultation bodies under Regulation 9 of the SEA Regulations, were consulted by Wiltshire Council on an SEA screening determination between 22 January 2016 and 4 March 2016. All three bodies agreed with the screening determination of Wiltshire Council that the WRNP is not likely to have significant environmental effects and therefore an SEA is not required.

### **Habitats Regulations Assessment (HRA)**

Wiltshire Council issued an HRA screening determination in June 2016 concluding that the WRNP would have no likely significant effects upon the Natura 2000 network alone or in combination and no appropriate assessment is currently required. This has been recently reviewed and Wiltshire Council is satisfied that the conclusions of the original HRA screening remain valid.

### **Wiltshire Core Strategy**

The Wiltshire Core Strategy was formally adopted by Wiltshire Council on 20 January 2015, and provides a positive and flexible overarching planning policy framework for Wiltshire for the period up to 2026.<sup>1</sup> A number of the policies in the Core Strategy are particularly relevant to the Wootton Rivers area and draft WRNP.

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<sup>1</sup> Wiltshire Core Strategy available at <http://www.wiltshire.gov.uk/adopted-local-plan-jan16-low-res.pdf>

Core Policy 1 'Settlement Strategy' identifies the settlements where sustainable development will take place across Wiltshire. Core Policy 2 'Delivery Strategy' provides the overall housing and employment figures and the strategy for how growth should be delivered. It requires development proposals to be in conformity with the detailed distribution set out in the Community Area Strategies.

Wootton Rivers Parish is located within the Pewsey Community Area. As set out in Core Policy 18 'Pewsey Community Area Strategy' between 2006 and 2026 the indicative housing requirement for the Pewsey Community Area is approximately 600 houses.

Paragraph 4.33 of the supporting text for Core Policy 2 says:

*"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). In addition sustainable development within the limits of development or at Small Villages should not be constrained just because requirements have been reached. For these reasons the overall housing requirement is shown as "at least", while the area strategy figures are "indicative"."*

Core Policy 18 sets out the spatial strategy for the Pewsey Community Area. Wootton Rivers is identified as a Small Village. The remainder of the parish is within the countryside.

The rationale and guidance for a small village such as Wootton Rivers is set out in Core Policy 1 which says:

*"..Small Villages have a low level of services and facilities, and few employment opportunities. Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities."*

Supporting text in Paragraphs 4.16 and 4.17 provides further clarification:

*"...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. However, some very modest development may be appropriate at Small Villages, to respond to local needs and to contribute to the vitality of rural communities. Any development at Small Villages will be carefully managed by Core Policy 2 and the other relevant policies of this plan."*

*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. In such circumstances small villages may be able to become more sustainable and their status may change to that of 'Large Villages' as a result in subsequent reviews of the settlement strategy. The strategy does allow for carefully managed development outside of settlement boundaries in specific cases, such as new employment investment where there is an overriding strategic interest, or for other local circumstances such as providing affordable housing, allowing new tourist accommodation or supporting diversification of the rural economy"*

Further clarification about development in small villages is included in Core Policy 2, which says:

*“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 areas of development related to the settlement.”*

Paragraph 4.34 of the supporting text says:

*“The delivery strategy defines the level of growth appropriate within the built up area of small villages as infill. For the purposes of Core Policy 2, infill is defined as the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling. Exceptions to this approach will only be considered through the neighbourhood plan process or DPDs.”*

The Core Strategy also contains other policies which may be relevant to the WRNP. These include:

- Providing Affordable Homes (Core Policy 43)
- Rural Exception Sites (Core Policy 44)
- Meeting the Needs of Wiltshire’s Vulnerable and Older People (Core Policy 46)
- Meeting Wiltshire’s Housing Needs (Core Policy 45)
- Supporting Rural Life (Core Policy 48)
- Biodiversity and Geodiversity (Core Policy 50)
- Landscape (Core Policy 51)
- Ensuring Policy High Quality Design and Place Shaping (Core 57)
- Historic Environment (Core Policy 58)
- Development Impacts on the Transport Network (Core Policy 62)

### **Wootton Rivers Neighbourhood Plan**

The WRNP specifies in the Introduction (Page 5) that it covers the period “from adoption until the end of 2026 (matching the timescale of the Wiltshire Core Strategy)”. The Council suggests it would be helpful if the timescale were to be added to the plan front cover.

### **Section 2 The Historic Environment and Heritage Assets**

The Council considers the document is strong on identifying and responding to heritage issues. A minor point of correction is that there are references to policy towards the foot of the Page 6 which currently refer to Core Policies 57 Ensuring high quality design and place shaping and Core Policy 59 The Stonehenge, Avebury and Associated World Heritage Site and its Setting. Wootton Rivers is not located within the World Heritage Site or its setting. Therefore this policy should not be referred to. However Core Policy 58 Ensuring the

Conservation of the Historic Environment is applicable. The Council suggests that an amendment be made to the text to refer to Core Policy 58 instead.

## **Vision and Objectives**

The WRNP contains a vision and 11 objectives. The policies and recommendations in the plan all relate to the issues identified.

## **Policies and Recommendations**

The plan contains a series of policies and recommendations supported by evidence which is set out in the supporting text and in the Appendices.

## **Policy H1 Housing Development**

This section contains 3 housing policies – H1 Location; H2 Indicative Quality; and H3 Type.

Currently the section heading “Policy H1” is misleading as there is more than one policy listed. The sub heading at paragraph 4.4 says “The Four Areas of Housing Policy” when in fact only three policies are listed. This would benefit from amendment.

At the draft plan Regulation 14 stage, the Council suggested that the four policies H1-H4, included in that Plan, could be streamlined into one policy as some of the text is more appropriate as supporting text. This would make the policy more clear and succinct. This suggestion does not appear to have been considered by the group (WR Consultation Statement Pages 100-110). The Council suggests that further consideration is given to making modifications to the WRNP to address these points.

The policies refer to infill development which reflects the policy guidance contained in the Core Strategy Core Policy 1 Settlement Strategy and Core Policy 2 Development Strategy regarding Small Villages.

In relation to affordable housing, Core Policy 43 requires at least 30% affordable housing provision in the Pewsey Community Area subject to site specific considerations. A written ministerial statement issued in 2014 says that contributions for affordable housing should not be sought from developments of 10 units or less and which have a maximum combined gross floor space of 1000 sqm. In designated rural areas, a lower threshold of 5 units or less can be applied. Wootton Rivers is located within the North Wessex Downs Area of Natural Beauty and therefore the lower threshold of 5 units or less is applicable.

However, the Council is concerned that the current wording of the WRNP policies could prohibit the provision of affordable housing. Whilst the Council accepts that there is no-one currently on the housing register who has registered Wootton Rivers as their preferred location, this only provides a snapshot of need and is only one source of information on housing need. There is no current rural housing needs survey for Wootton Rivers parish. Given the limited evidence base for assessing housing need and the time period of the Neighbourhood Plan (to 2026), the Council is concerned that the policies may restrict the ability to provide for any local housing need which is identified in the future.

The Neighbourhood Plan limits new development to infill only. In line with Core Policy 2 rural communities including Wootton Rivers may be reliant on the provision of rural exceptions

sites (adjacent to the village) to provide for local housing need. As Policy H1 of the Neighbourhood Plan does not refer to rural exceptions sites, it appears to be more restrictive than the Wiltshire Core Strategy.

An application for a Rural Exceptions site, considered against the requirements of Core Strategy Core Policy 44 is required to demonstrate that it does meet an identified local need, respects the character and setting of the settlement and is supported by the local community. Therefore it wouldn't conflict with the other objectives of the neighbourhood plan.

The Council suggests that clarification be provided in the supporting text to acknowledge that rural exceptions sites may be required to provide for future housing need.

### **Policy D1 Design**

Following a suggestion by the Council at the draft plan Regulation 14 stage, the WRNP now includes a separate section and policy for Design. It is recognised that national guidance is supportive of improved design and the evidence for Policy D1 has been taken from the Conservation Area Statement (CAS) and adopted Village Design Statement (VDS).

However, the Council is concerned that the policy does seem overly prescriptive. A requirement that *“new dwellings, and of conversions and extensions, must complement the current look of the parish by using the same or very similar materials and avoiding incongruent features for example, high walls, solid gates/fences, overtly modern equipment or building styles.”* could be interpreted as mandate to object to anything other than pastiche, although the use of the qualifiers 'complement' and 'overtly modern' could allow a degree of flexibility.

Currently Policy D1 also requires anyone submitting a planning application for residential development to “include a detailed character assessment (including a specification of materials that will be use) for review by the Parish Council”.

The Council suggests that the requirement for a detailed character assessment for review by the Parish Council is excessive. Core Strategy Core Policy 57 'Ensuring High Quality Design & Place Shaping' requires a high standard of design in all developments. Proposals will need to be accompanied by appropriate information to demonstrate compliance with Core Policy 57, including a design and access statement when this is required by the local validation checklist. All proposals will need to have regard to relevant supplementary guidance on design. This includes village design statements that are up to date and approved by the local authority as providing guidance on the implementation of policy Core Policy 57 for a local area.

The Council suggests that consideration is given to amending the wording of the Policy D1.

Appendix B describes the design policy evidence. The second paragraph begins “Wootton Rivers has produced a Conservation Area Statement (CAS) and Village Design Statement”. This has been corrected earlier in the document to reflect the fact that the CAS was produced by the Council and not by the village itself. The Council suggests that this reference should also be amended as it is misleading.

Appendix B also refers to key features which form part of the character of the village including “*extensive use of mainly combed wheat reed thatch with plain ridges, together with occasional long straw thatch*”.

This implies that the combed wheat reed is perhaps to be favoured being more numerous. However, in fact the combed wheat reed represents a late 20th Century change and the long straw roofs are the more valuable as they are the last representatives of a once ubiquitous local tradition. The Council suggests that consideration is given to amending the plan to reflect this, for example “*the extensive use of wheat straw thatch with plain flush ridges – today mainly as combed wheat reed thatch but also a few remaining examples of the long straw style which is traditional to the area*”.

### **Policy NRD1 Non-Residential Development**

Policy NRD1 encourages non-residential development including the reuse of existing buildings and/or brownfield sites where

*“.. it complements the appearance and rural character of the parish, adds useful facilities or suitable employment and has no unacceptable impact on the local environment e.g. through its appearance or by increasing traffic volume..”*

This is in accordance with Core Strategy Core Policy 2 and supporting text which explains

*“some very modest development may be appropriate at Small Villages, to respond to local needs and to contribute to the vitality of rural communities.”* This includes proposals for employment uses, services and facilities.

However, the policy would benefit from further clarification as to which types of uses make up “non-residential” development and how planning proposals could demonstrate that they complement the appearance and rural character of the parish.

### **Policy S1 Streetscape**

Policy S1 has been amended since the Regulation 14 draft plan stage to incorporate the wording “*Trees, hedgerow and banks that are overgrown or leaning and therefore at risk of damaging vehicles, restricting viability of oncoming traffic or pedestrians, or of falling onto the road or overhead wires, should be identified and action taken with owners to address the issue.*”

This is not an issue that can be controlled through the planning system. It is more appropriate for the text to be included either within the supporting text or as a recommendation alongside Recommendations C1, PEB1 and TT1 later in the plan and policy should be amended to address this.

### **Policy RGS1 Recreational Green Space**

The NPPF includes guidance on designating local green space:

*“Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent*

*with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.*

*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.*

*Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.” (NPPF, Paragraphs 76-78)*

Policy RGS1 proposes three areas be designated as local green space – Recreation Ground at South Bank; Allotments behind Cuckoo’s Knob and Pink Horse Chestnut Tree. The location of the sites is shown on a map (Page 23). All three sites are reasonably close proximity to the village of Wootton Rivers and the evidence contained within the plan on pages 18-20 demonstrates how the green spaces are special to the local community and hold a particular significance. They all appear to be small sites, local in character and are not extensive tracts of land.

When a neighbourhood plan is made, it will become part of the development plan for Wiltshire and any designations will have to be shown on the Policies Map. The Council suggests that the map on page 23 could be improved by clearly showing the outline of the sites designated as local green space. It is particularly unclear as to the boundary for the Pink Horse Chestnut Tree Local Green Space.

### **Policy PEB1 Physical Environment and Biodiversity**

*Government guidance advises that “...a policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared”. (Planning Practice Guidance, Paragraph 041 Reference ID: 41-041-20134006)*

The purpose of Policy PEB1 is described as “to protect and improve, the rich tapestry of environment and habitat through careful future management and development of the parish.” The evidence supporting the policy is explained in Sections 12.1-12.3 (Page 28). The policy itself describes how the rural nature and environment will be sustained and enhanced. However the current wording of the policy is not clear. It does not provide sufficient clarity to enable it to be applied consistently when determining planning applications. It is considered that the policy could be reworded to address these concerns or to change the policy into a recommendation alongside Recommendations C1, PS1 and TT1.

## **Recommendations C1, PS1 and TT1**

Three recommendations have been included in the plan to provide details of issues that are considered to be important issues in the village, but which cannot be controlled through the planning system because they do not relate to land use.

The transport policies contained in the Regulation 14 draft plan have been removed and replaced by a transport recommendation, with associated transport aspirations in an appendix, which the Council now considers is more appropriate.

In relation to the aspirations:

- The desire to remove road markings is generally agreed with apart from where the road markings are mandatory or safety related.
- The incorporation of features in the highway in order to raise driver awareness of hazards is accepted in principle although the exact nature of the features will depend on the individual circumstances and will require appropriate investigation. Requests for such 'traffic calming' features should be referred to Pewsey Area Board's Community Area Transport Group.
- In respect of speed limits, the aspiration for all of the rural roads in the parish to have a 30mph speed limit is not appropriate. Speed limits are set in accordance with national criteria. Department for Transport (DfT) Circular 01/2013 Setting Local Speed Limits provides guidance on setting speed limits on rural roads and this has to be applied across all of Wiltshire's roads. However, it may be that a 20mph speed limit on the main street through the village is appropriate and this should be referred to Pewsey's Community Area Transport Group to request that an assessment be undertaken.

## **Appendix C Unlisted and Unprotected Parish Features**

Appendix C refers to "Unlisted Architectural Features". In terms of the unlisted architectural features referred to, a number are actually protected by virtue of their location within the curtilage of other listed buildings i.e. they are 'curtilage listed' so the implication that they are unlisted and without protection or control is perhaps slightly misleading to anyone who might be seeking to carry out works. At the Regulation 14 draft plan consultation stage, the Council advised that the correct terminology (in line with other policy and guidance documents) is "non-designated heritage assets". This has been changed elsewhere in the WRNDP. The Council suggests it would be appropriate for a minor wording change here as well.

## Comments

### Wootton Rivers Neighbourhood Plan (Regulation 16) consultation (30/01/17 to 15/03/17)

<b>Comment by</b>	The Canal and River Trust (Mrs Jane Hennell)
<b>Comment ID</b>	2
<b>Response Date</b>	13/03/17 13:19
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.3

#### Comment:

Thank you for consulting the Canal & River Trust on the Wootton Rivers Neighbourhood plan.

The Canal & River Trust own and maintain the Kennett & Avon Canal as it runs through the plan area and we note that part of the canal lies within the village conservation area and that the lock is a listed structure.

The Trust promotes the canal as a wildlife corridor, heritage asset, an attractive route for sustainable transport, part of the free local health resources providing informal leisure and recreation, (both on the water and on the towpath). The canal also provides a sense of place and brings economic regeneration opportunities to the area.

In our previous response to the Parish Council we note that the document mentioned the canal in relation to biodiversity however the canal was not mentioned in relation to its other functions. The canal is a perfect example of multi-functional green infrastructure and is recognised as such in the Wiltshire Core Strategy as well as its Green Infrastructure Strategy.

Further guidance on positively planning for waterways is contained in a Policy Advice note prepared jointly by the Town and Country Planning association, and British Waterways (as we were at the time of writing) and can be found here. Whilst this guidance pre-dates Neighbourhood Plans it is still a useful tool in understanding the range of benefits a waterway can bring to an area and Appendix 1 of this document deals with how planning policies at all levels can help to positively improve our waterways. The guidance also provides a development management checklist for the issues when considering the suitability of planning applications adjacent to waterspace at Appendix 2.

We note that in the submission version the listed canal bridge is now mentioned along with some great photos in the appendices. In addition, a summary (at 9.1) has been added identifying various benefits the canal brings to the area and we wish to thank the Parish council for this addition.

We would request that policy PEB1 is amended to take the opportunity to support improvements to public footpaths rather than just improving signage of and access to footpaths and bridleways. Improving access to the footpath without improving the footpath itself may result in increased degradation and actually worsen the current standard of provision.

The canal towpath is recognised as important green infrastructure in the adopted core strategy, and one of its main benefits is as a sustainable transport and recreational route. We would welcome further policy support for its continued use and improvement through the Neighbourhood plan.

If you feel it would be helpful, we could meet to discuss whether there is need to better promote, protect and enhance this important multi- functional green infrastructure asset within the Neighbourhood Plan prior to its adoption.

**Do you wish to be notified of the decision on the Wootton Rivers Neighbourhood Plan proposal?** Yes

## Comments

### Wootton Rivers Neighbourhood Plan (Regulation 16) consultation (30/01/17 to 15/03/17)

<b>Comment by</b>	Environment Agency (Wessex Area) (Miss Katherine Burt)
<b>Comment ID</b>	4
<b>Response Date</b>	15/03/17 12:23
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.3

**Comment:**

Thank you for consulting the Environment Agency on the Submission Consultation of the Wootton Rivers Neighbourhood Plan.

We are satisfied with this plan and we are pleased that it covers water resources, flood risk and biodiversity issues.

Please contact me if you have any queries.

**Do you wish to be notified of the decision on the Wootton Rivers Neighbourhood Plan proposal?** Yes

## Comments

### Wootton Rivers Neighbourhood Plan (Regulation 16) consultation (30/01/17 to 15/03/17)

Comment by	Historic England (Mr David Stuart)
Comment ID	5
Response Date	15/03/17 14:43
Status	Processed
Submission Type	Email
Version	0.3

#### Comment:

Thank you for your Regulation 16 Consultation on the Wootton Rivers Neighbourhood Plan.

I can confirm that we have no comments on the Plan that we wish to make.

We have previously congratulated the community on having a heritage-led Plan and would only wish to reiterate our support. Previous comments are below for information.

*“Thank you for your consultation on the latest version of the draft Wootton Rivers Neighbourhood Plan.*

*We had a look at this emerging document in responding to a consultation in the spring on the associated SEA Screening (see attached). We noted then the document’s impressive coverage of the historic environment of the Plan area and the degree of value the local community placed on its heritage.*

*The latest version only reaffirms those previous impressions. The Plan, unlike most others we have seen, sets out the context for its scope and content by beginning with the area’s historic environment and heritage assets which are then used to inform all aspects of policy and proposal, including streetscape, traffic, historic built character in terms of materials and building elements, etc etc. We will certainly take the opportunity to refer to the Plan when liaising with other communities on how heritage can be positively employed in the neighbourhood planning process.*

*There is therefore little more that we can or need add to our previous comments other than to once again offer our congratulations and best wishes for the successful completion of the Plan.”*

**Do you wish to be notified of the decision on the Wootton Rivers Neighbourhood Plan proposal?** Yes

## Comments

### Wootton Rivers Neighbourhood Plan (Regulation 16) consultation (30/01/17 to 15/03/17)

<b>Comment by</b>	Natural England (Mr John Gordon)
<b>Comment ID</b>	6
<b>Response Date</b>	15/03/17 16:11
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.3
<b>Files</b>	<a href="#">Natural England Response.pdf</a>

**Comment:**

Thank you for your consultation on the above, which was received by Natural England on 27 th January 2016.

Please find our response attached.

**Do you wish to be notified of the decision on the Wootton Rivers Neighbourhood Plan proposal?** Yes

Date: 15 March 2017  
Our ref: 207183  
Your ref: N/A



Ms G Clampitt-dix  
Head of Spatial Planning  
Economic Development and Planning  
Wiltshire Council

[neighbourhoodplanning@wiltshire.gov.uk](mailto:neighbourhoodplanning@wiltshire.gov.uk)

**BY EMAIL ONLY**

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Dear Ms Clampitt-dix

**Draft Wootton Rivers Neighbourhood Plan**

Thank you for your consultation on the above dated 27 January 2017 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

We have considered the draft Wootton Rivers Neighbourhood Plan and welcome the stated objectives to maintain and protect existing green infrastructure as well as seeking opportunities for the creation of new designated green spaces. We also welcome the stated objective to retain the landscape character of the area and the measures to enhance biodiversity.

Two of Natural England's key focus areas within Wiltshire is to maintain and connect fragmented areas of chalk grassland in order that wildlife can disperse throughout the whole farmed landscape rather than becoming confined to isolated patches of habitat and also ensuring that the River Avon remains a healthy, naturally functioning river that abounds with wildlife and supports sustainable development. We would welcome any contribution that the Wootton Rivers Neighbourhood Plan could make in helping to achieve these aims and therefore, please do not hesitate to contact us if you wish to discuss this further.

Please also see the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For clarification of any points in this letter, please contact John Gordon at [John.Gordon@naturalengland.org.uk](mailto:John.Gordon@naturalengland.org.uk). For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

# Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

## Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas** (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>4</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)<sup>5</sup> website and also from the [LandIS website](http://www.landis.org.uk/)<sup>6</sup>, which contains more information about obtaining soil data.

## Natural environment issues to consider

The [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework--2)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/)<sup>8</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <http://www.nbn-nfbr.org.uk/nfbr.php>

<sup>3</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>5</sup> <http://magic.defra.gov.uk/>

<sup>6</sup> <http://www.landis.org.uk/index.cfm>

<sup>7</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>8</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

## Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

## Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>11</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>12</sup> to help understand the impact of particular developments on protected species.

## Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>13</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

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<sup>9</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>10</sup><https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>11</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>12</sup><https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>13</sup><http://publications.naturalengland.org.uk/publication/35012>

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) <sup>14</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

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<sup>14</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

## Comments

### Wootton Rivers Neighbourhood Plan (Regulation 16) consultation (30/01/17 to 15/03/17)

<b>Comment by</b>	Savills (Ms Naomi Hubbard)
<b>Comment ID</b>	3
<b>Response Date</b>	14/03/17 18:47
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Files</b>	<a href="#">Savilles - St Johns College Cambridge Rep.pdf</a> <a href="#">Savilles - St Johns College Cambridge Rep attachment.pdf</a>

**Comment:**

Savills (UK) Ltd is appointed by St. John's College, Cambridge (hereafter referred to as 'the College') to submit the following comments on the Submission Neighbourhood Development Plan.

Comments attached.

**Do you wish to be notified of the decision on the Wootton Rivers Neighbourhood Plan proposal?** Yes

13 March 2017  
L 170313 NH NP Representations



Spatial Planning Team  
Economic Development and Planning  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
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Dear Sir/ Madam

### **Wootton Rivers Neighbourhood Development Plan - Submission Consultation (Regulation 16) (February/ March 2017)**

Savills (UK) Ltd is appointed by St. John's College, Cambridge (hereafter referred to as 'the College') to submit the following comments on the Submission Neighbourhood Development Plan. The College owns land in Wootton Rivers and has been actively engaged in the Neighbourhood Development Plan process (various email correspondence, a meeting on 24 May 2016 and letter dated 6 June 2016). The College congratulate the Parish Council on the preparation of the Plan. The following comments are set out in a positive and constructive manner.

#### **Neighbourhood Plan Process**

The Landowners have reviewed the process undertaken by the Parish Council in preparing the Neighbourhood Development Plan as set out by The Neighbourhood Planning (General) Regulations 2012. The Parish Council is the "qualifying body" and the Neighbourhood Development Plan area is defined by the Parish boundary.

The Steering Group has carried out significant community engagement as detailed in the Neighbourhood Development Plan and Appendices with 75% of occupied dwellings responding to a Questionnaire. The Steering Group has also taken the time to meet with the College on 24 May 2016. For the above reasons, the Steering Group has clearly followed due process in preparing the Neighbourhood Plan.

#### **Basic Conditions**

Following consultation with Wiltshire Council an Examiner will be appointed to ensure that the plan meets the Basic Conditions as set out in paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990, and which are listed in paragraph 065 of the National Planning Practice Guidance (PPG). Given the advanced stage that the Neighbourhood Plan has now proceeded to, it is useful to assess whether the Plan in its revised form, is consistent with the basic conditions:

##### *Basic Condition (a): Having Regard to National Planning Policies*

As listed in paragraph 070 of the NPPG, paragraph 16 of the National Planning Policy Framework (NPPF) requires that Neighbourhood Plans support the strategic development needs of Local Plans, including policies for housing and economic development. Paragraph 184 of the NPPF states that Neighbourhood Plans should not promote less development than set out in the Local Plan.



*Basic Condition (b) and (c): Having regard to the Listed Buildings and Conservation Area*

These basic conditions require that policies in the Neighbourhood Development Plan do not weaken the statutory protections for listed buildings and conservation areas. The Neighbourhood Development Plan identifies 41 listed buildings in the village and defines the Conservation Area boundary however does not propose any specific policies to ensure accordance with the basic conditions. However, one of the overarching objectives of the Neighbourhood Development Plan, as set out in section 3.2 is to protect, maintain and enhance the historic environment ensuring that listed buildings and the conservation area are not compromised by design, scale or presence of new development. Policies on streetscape, location, design and type of development support this approach.

*Basic Condition (d): Contributing to Sustainable Development*

Paragraph 14 of the NPPF sets out a powerful presumption in favour of sustainable development. Neighbourhood Plans must therefore demonstrate that they contribute to improvements in environmental, economic and social conditions. Paragraph 16 of the NPPF sets out the implications of this presumption on the production of Neighbourhood Plans and how they can address these.

Wootton Rivers is identified as a Small Village in the Core Strategy. Development that takes place at the non-strategic settlements still forms a fundamental part of the overall strategy of the Core Strategy by meeting local needs. Small Villages are the lowest level of settlement however are still categorised as sustainable and will deliver development which meets purely local needs. The Neighbourhood Development Plan does not identify specific sites for development opportunities albeit noting the two farm sites which may come forward for housing (application reference 15/11063/FUL has now been withdrawn and application reference 16/11051/FUL is under consultation until 21 March 2017).

The Neighbourhood Development Plan is not accompanied by a sustainability appraisal, and as stated in the PPG this is not a legal requirement. However, the Parish Council may find this a useful approach for demonstrating how the Neighbourhood Development Plan meets the basic condition by taking into consideration strategic policies of the emerging Local Plan (a requirement of NPPF paragraph 16), including those for housing development.

*Basic Condition (e): Conformity with Strategic Policies of the Development Plan*

In relation to the Neighbourhood Plan being in general conformity with the strategic policies of the Development Plan, the policies in the Neighbourhood Development Plan do uphold the general principles of the strategic policies in the Wiltshire Core Strategy. As set out above Wiltshire Council considers Wootton Rivers as a sustainable settlement within the District, identifying it as a 'Small Village' in its adopted Core Strategy. Any development must meet local needs and be considered to bring about positive benefits in terms of population and economic growth.

The Proposed Policies under H1: *Housing Development* are considered to be in general conformity with the adopted Core Strategy limiting development to 'infilling' albeit confining it within the Conservation Area (north of the railway). The Neighbourhood Development Plan does not set out any provision for affordable housing needs in the village. Policy H2 does set out 'low cost and/ or medium sized (2 or 3 bedroom)' units albeit this does not meet the same definition as affordable housing set out in the NPPF. Adopted Core Strategy Policies 1 and 2 clearly state that development may be appropriate at Small Villages, when responding to local needs and contributing to the vitality of rural communities.

*Basic Condition (f): Conformity with EU Obligations*

As required by paragraph 078 of the NPPG, the Submission Neighbourhood Plan needs to consider the effects on the environment of the proposed policies. Wiltshire Council has confirmed that a Strategic Environmental Assessment (SEA) is not required. In addition, the Wootton Rivers Neighbourhood Plan Habitats Regulations Assessment (HRA) Screening concludes that "*the Wootton Rivers Neighbourhood Plan*

*would have no likely significant effects upon the Natura 2000 network alone or in combination, and no appropriate assessment is considered necessary by Wiltshire Council as competent authority”.*

### **Policies in the Neighbourhood Development Plan**

The following section provides comments on specific policies proposed in the Submission Neighbourhood Development Plan. The following lists our observations of the proposed policies of the Neighbourhood Plan.

- H1: Location

The College notes that this policy limits any new development to within the villages Conservation Area between the Little House and the railway line. The village however extends south of the railway and this should be included as such. This part of the village is less constrained due to its location outside the Conservation Area.

- H2: Indicative Quantity

Policy H1 seeks to limit the potential locations for development and this therefore limits the quantity that can be achieved. In fact the Plan states “only a small number of sites for new building will meet the criteria of H1..., so only a small number of new dwellings will be achievable”. Whilst the College agree that the Neighbourhood Development Plan should be in accordance with the strategy set out in the adopted Core Strategy, local policy supports development in small villages which meets local needs. The quantity of proposed housing should therefore be based on the results of a housing needs survey.

- H3: Type

The College supports the Plan’s approach to seeking a mix of housing types to include low cost and/ or medium sized units. From meeting with the Parish Council and Steering Group on 24 May 2016 it was evident there is concerns with the number of large family homes being built within the village. By reviewing application reference 15/11063/FUL for development at Noyes Farm (now withdrawn), all dwellings will provide four or more bedrooms with no affordable housing provision. The application submitted at Church Farm (reference: 16/11051/FUL) does provide some smaller units and again does not provide any affordable housing. Recently reinstated guidance in the PPG (paragraph 031) sets out that in designated rural areas, including Areas of Outstanding Natural Beauty, no affordable housing or contributions should be sought from developments of 5 units or less. It is therefore unlikely that any affordable housing will be delivered in Wootton Rivers if development opportunities are limited to infilling and the two farm sites. In addition, as set out above, ‘low cost’ housing does not meet the definition of affordable housing as set out in the NPPF.

### **Land off St. Andrew’s Close**

The College owns land off St. Andrew’s Close (refer to attached site plan). The land is located south of the canal and railway, outside the historic core of the village. Low density residential development is located to the west and south of the site, with the north and eastern edges bounded by roads. The site therefore sits comfortably within the existing settlement pattern and forms a logical land parcel for development. Subsequently, any development in this location would have limited impact on the Area of Outstanding Beauty which covers the village and its surroundings.

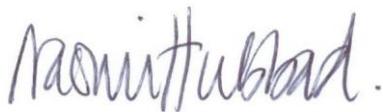
The site currently comprises 0.7 ha of grazing land and is accessed from a gate along its eastern edge. Access could be gained along the site’s northern edge subject further investigation.

Core Strategy Policy 44 allows for the allocation of, or granting of planning permission for small sites comprising affordable housing as an exception to normal policies. The Core Strategy therefore recognises that there can be difficulties in securing an adequate supply of affordable housing for local needs in rural areas. This need has been expressed by the Wootton Rivers Parish Council and Steering Group. The College therefore propose that land off St Andrew’s Close be allocated as a rural exception site for up to 10 dwellings. The 10 dwellings would be a mix of affordable and market units, with a majority of units affordable.

It is likely that the provision of some market units will be essential to the delivery of the development. This could be delivered in conjunction with other community benefits for the village such as the offer of a longer lease on the recreation ground. This land adjoins the development limits of the village and therefore meets with the necessary criteria.

In summary, the Steering Group is to be congratulated for carrying out extensive consultation and drafting the Neighbourhood Plan. St. John's College, Cambridge has a longstanding relationship with the village and continues to support and have regard to the historic integrity and character of Wootton Rivers. We trust the above comments will be considered and if you wish to discuss any of the points raised please contact Naomi Hubbard at the above address.

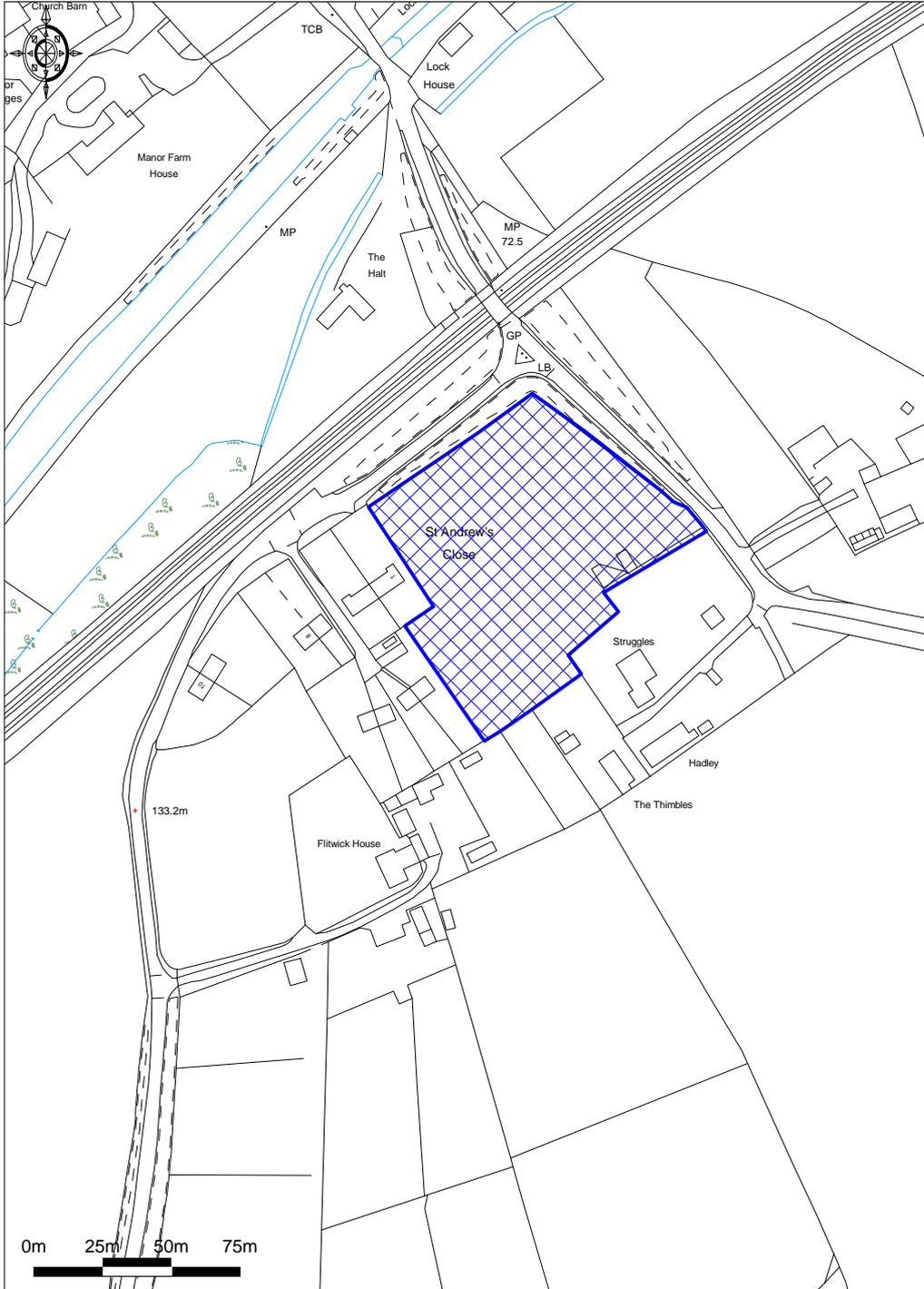
Yours sincerely

A handwritten signature in blue ink that reads "Naomi Hubbard".

**Naomi Hubbard MRTPI**  
**Senior Planner**

Enc. Site Location Plan

# Land at St Andrew's Close, Wootton Rivers



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## Comments

### Wootton Rivers Neighbourhood Plan (Regulation 16) consultation (30/01/17 to 15/03/17)

<b>Comment by</b>	Southern Water ( Charlotte Mayall)
<b>Comment ID</b>	1
<b>Response Date</b>	30/01/17 11:09
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4

**Comment:**

Thank you for your email below, however Wootton Rivers is outside of Southern Water's operational area. We therefore have no comments to make on the neighbourhood plan in this instance.