

# **Colerne Neighbourhood Development Plan 2021-2036**

**A report to Wiltshire Council on the Colerne  
Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by Wiltshire Council in October 2021 to carry out the independent examination of the Colerne Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 11 October 2021.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its landscape and historic character. The Plan also allocates a site for housing development. It has successfully identified a range of issues where it can add value to the strategic context already provided by the adopted development plan.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Colerne Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**2 December 2021**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Colerne Neighbourhood Development Plan 2021-2036 (the 'Plan').
- 1.2 The Plan has been submitted to Wiltshire Council (WC) by Colerne Parish Council (CPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 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 embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be both distinctive complementary to the development plan.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then form part of the wider development plan and be used to determine planning applications within the neighbourhood area.

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

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by WC, with the consent of CPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WC and CPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (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); and
  - the 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.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan
- the Basic Conditions Statement
- the Consultation Statement
- the Strategic Environmental Assessment
- the HRA screening statement
- the Design Statement
- Topic Paper 1: Site Evaluation
- Topic Paper 2: Concept Statement
- the links to the detailed papers in the Plan
- the responses to the clarification note from CPC
- the representations made to the Plan;
- the saved policies in the North Wiltshire Local Plan
- the adopted Wiltshire Core Strategy
- the Wiltshire Housing Site Allocations Plan
- the National Planning Policy Framework (July 2021);
- Planning Practice Guidance (March 2014 and subsequent updates);
- The Queen (on behalf of Lochailort Investments Ltd) and Mendip District Council [2020] EWCA Civ 1259; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 11 October 2021. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised WC of this decision once I had received CPC's responses to the clarification note.

3.4 The Plan was prepared in the context of the 2019 version of the NPPF. This is reflected in the Basic Conditions Statement. Since the Plan was submitted for examination the NPPF was updated in July 2021. Where it is necessary to do so, I comment on the relationship between the most current version of the NPPF and the policy concerned in Section 7 of the report.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 CPC prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. It includes an assessment of the consultation undertaken during the various stages of Plan production. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (October to December 2020). Its key strength is the way in which it sets out the key issues in a proportionate way which is then underpinned by more detailed sections in the report and its appendices.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the initial informal consultations (May-July 2017);
  - the working groups (August 2017);
  - the Call for Sites (November 2017);
  - the Housing Needs Survey (January 2018);
  - the Business Survey (February 2018)
  - the Outreach events;
  - the Community Survey (June 2018); and
  - the local green spaces consultation (January 2019).
- 4.4 The Statement also provides details of the way in which CPC engaged with statutory bodies. It is clear that the process has been proportionate and robust.
- 4.5 The Statement also provides specific details on the comments received as part of the consultation process on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. This process helps to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. WC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

### *Representations Received*

4.7 Consultation on the submitted Plan was undertaken by WC. It ended on 4 October 2021. This exercise generated comments from the following organisations:

- Highways England
- Canal and River Trust
- Wiltshire Council
- Historic England
- Natural England
- Secretary of State for Defence
- Carter Jonas (on behalf of a landowner)

4.8 Representations were also received from two local residents.

4.9 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis in Section 7 of this report.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Colerne. Its population in 2011 was 2972 persons living in 1091 houses. It was designated as a neighbourhood area on 27 June 2017. It is an irregular area located at the southern end of the Cotswold Hills. At its highest point it is 545 ft above sea level. It is located within the Cotswolds National Landscape (Area of Outstanding Natural Beauty). The parish overlooks the valleys of the By Brook to the south east and, further south, the Avon; together with the southern uplands of the Cotswold hills to the north and west. The west and south-west parts of the parish fall within the Bristol & Bath Green Belt.
- 5.2 The parish has three main centres of population - the village itself, the Redwood, Southwood, Northwood and Pinewood estates to the north (collectively described as North Colerne), and Lucknam and Thickwood to the east, with scattered farmhouses and dwellings between. The historic core of Colerne village is a designated conservation area.
- 5.3 A significant part of the neighbourhood area is occupied by Colerne Airfield. It is located to the north of Colerne and to the west of North Colerne. The site is divided into three areas - the Airfield, together with its control tower and one hangar, (under RAF control); the Satellite Ground Station; and the remainder as Azimghur Barracks, home to 21st Signal Regiment. The most recent listing of military disposal dates confirms that the Airfield is scheduled for 2025 and Azimghur Barracks for 2031.

### *Development Plan Context*

- 5.4 The Wiltshire Core Strategy was adopted in January 2015. It sets out the basis for future development in the County up to 2026. The policies in the Core Strategy are the strategic policies of the development plan (see paragraph 2.5 of this report). The adoption of the Core Strategy partially replaced a number of policies in the North Wiltshire Local Plan 2011. The Core Strategy has more recently been supplemented by the adoption of the Wiltshire Housing Site Allocations Plan. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan. The following Core Strategy policies are particularly relevant to the Colerne Neighbourhood Plan:

CP1	Settlement Strategy
CP2	Delivery Strategy
CP11	Spatial Strategy (Corsham Community Area)
CP43	Providing affordable homes
CP45	Meeting Wiltshire's Housing Needs
CP48	Supporting Rural Life
CP51	Landscape
CP52	Green Infrastructure
CP57	Ensuring High Quality Design and Place Shaping



CP60 Sustainable Transport

- 5.5 The neighbourhood area is located within the Corsham Community Area in the Core Strategy (CP11). Colerne is identified as one of the large villages in the Community Area (and as defined at Core Policy 1). Paragraph 5.62 of the Core Strategy identifies a series of important issues to be addressed in planning decisions in the community area. In relation to Colerne the designated landscape of the Cotswolds Area of Outstanding Natural Beauty and its setting, and the integrity of the Bath and Bradford-on-Avon Bats Special Area of Conservation are important considerations. Core Policy 11 identifies how these and other matters will be addressed.
- 5.6 Section 4 of the Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local policy context.
- 5.7 WC is in the process of producing a new Local Plan. It will provide a planning policy context for the period up to 2036. When adopted it will replace the Core Strategy. Consultation on emerging themes took place between January and March 2021. The consultation was not on a draft Local Plan but on key components to inform one, including proposals for the scale and distribution of housing and employment growth across Wiltshire. It also sought views on the role of the Local Plan in helping the County adapt to and mitigate for climate change.
- 5.8 The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the County. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

*Unaccompanied Visit*

- 5.9 I visited the neighbourhood area on 11 October 2021. I approached it from Ford to the north and east. This gave me an initial impression of its setting, character and topography. It also highlighted its connection to the strategic road system.
- 5.10 I looked initially at Thickwood. I saw the way in which the residential properties were located to the east of the road and the Lucknam Park Hotel complex was located to the west of the road. I looked at the proposed housing site located to the immediate north of Hillcrest.
- 5.11 I then drove to North Colerne. I saw its relationship to the military establishment. The relationship was very clear in Walnut Drive. I then drove to the north to Pinewood Drive. I looked at the proposed local green space and saw that it was clearly defined within the residential area.
- 5.12 I then drove to Colerne. I looked initially at the range of land uses along the road to the immediate north of the village. In doing so I saw the Colerne Rugby Club. I then drove along Bath Road into the village.

- 5.13 I then took time to walk around the tight network of streets to the north and the south of Bath Road/High Street. I saw the attractive mix of the house types and their ages. In particular I saw the traditional stone buildings in High Street, some of which had retained their original stone roofs (notably Daubney Farm House, 1&3 Market Place and The Old Coach House. I sat for a while on the Women's Institute bench in Market Place. It was clear that the Market Place was the community hub of the wider village. I saw the Richard Walmesley memorial and the war memorial. I appreciated the very helpful information board on the rear side of the bus stop.
- 5.14 I walked along Vicarage Lane and saw the Old School, the Parish Council offices and the Colerne café. I then walked into the well-maintained churchyard. I appreciated the stone boundary walls. I also saw the series of Commonwealth war graves associated with the former RAF Colerne.
- 5.15 I took the opportunity to look inside the St John the Baptist Church. I saw the interesting 1627 plaque commemoration of Elizabeth Teyly and the three mediaeval stone figures on the same northern wall. I also saw the impressive stained-glass windows in the southern wall. The foodbank in the porch entrance was well-stocked.
- 5.16 I finished the visit by driving to the west of the military base along the Fosse Way to The Shoe. This highlighted the historic importance of the neighbourhood area and its setting within the wider topography in this part of the County.

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 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. To comply with 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 in the area;
  - be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).
- 6.3 I assess the Plan against the basic conditions under the following headings.
- National Planning Policies and Guidance*
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021.
- 6.5 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Colerne Neighbourhood Plan:
- a plan-led system– in this case the relationship between the neighbourhood plan and the adopted Core Strategy, the Wiltshire Housing Site Allocations Plan and the saved policies of the North Wiltshire Local Plan;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - always seeking to secure high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available 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 sets out a positive vision for the future of the neighbourhood area. In particular it seeks to safeguard the quality and nature of its landscape setting. It provides a positive approach towards the longer-term potential for development on the existing military base.
- 6.9 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014 (and as subsequently updated on a regular basis). Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for the development of a housing site (Policy BE4) and for a variety of employment-related uses (Policy EB1). In the social role, it includes policies for local green spaces (Policy NE3) and for community facilities (Policies CHWB1/2). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on character and design (Policy BE1), sustainable design (Policy BE5), landscape and natural environment (Policy NE1) and Key Views (Policy NE4). CPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.12 I have already commented in detail on the development plan context in Wiltshire in paragraphs 5.4 to 5.8 of this report.

- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan’s policies to policies in the development plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*European Legislation – Strategic Environmental Assessment*

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement, CPC commissioned the production of a Strategic Environmental Assessment (SEA). It was produced in July 2021. It is a comprehensive and well-considered document. In general terms it assesses the implications of the Plan on a range of environmental matters including biodiversity, climate change, landscape, historic environment and land, soil and water resources.
- 6.16 The SEA also considers a series of reasonable alternatives both on a site-by-site basis and based on potential growth scenarios. It does so with significant vigour and detail. One of the many strengths of the SEA is the way in which is both iterative and has contributed to the evolution of the wider Plan. The SEA summarises its key outputs, and as they feed into the Plan in particular, as follows (as set out in the non-technical summary)

*‘Since the publication of the Pre-Submission Plan, and in response to comments received at Regulation 14 consultation and previous SEA iteration conclusions, changes have been made to the CNP preferred approach. Furthermore, the preliminarily reasons for selection and rejection of sites (Table 5.1 above) have been strengthened through the production of ‘Topic Paper 1: Land Allocation Strategy’.*

*The Steering Group further note the expectation that the Wiltshire Local Plan Review could be completed (expected 2023) not long after the Neighbourhood Plan gets made, and so a further uncertainty is whether the revised Local Plan may in itself necessitate a review of the Neighbourhood Plan. By that time further clarity on the direction of MoD disposal may also be available and require review. The Plan’s approach to this uncertainty is supported by detailed assessment in Topic Paper 1, and the Steering Group remain ready to undertake an early Plan review as required.*

*The following justification for changes to the submission (Plan) have been provided by the Steering Group:*

- *A number of Policies proposed in early drafts were eliminated, being subsumed within other Policies or covered by higher policy.*
- *The ‘supported site’ - Slaughterford Mill has now been removed from the main CNP, but is referred to in detail in the CNP supporting document ‘Topic Paper 1’.*

- *Allocated site 'The Con Club' has had to be removed as the club have decided to recreate themselves in partnership with a gym. The site is no longer available.*
- *Further evidence has been carried out for site allocation 'Thickwood Field', in response to Highways and heritage concerns raised at Regulation 14 consultation (see Topic Paper 1). Sustainability Appraisal for the Colerne Neighbourhood Plan Environmental Report*
- *The Steering Group note that some ideas for revised treatment of rural exception sites may be considered in the Local Plan Review (Wiltshire Council Rural Housing Workshop, 2019). These might include: allowance for greater proportion of affordable housing on rural exception sites, with more precise, and additional, definitions of "affordability"; allowance for inclusion of starter homes, and homes for retirees and downsizers; acceptability of Community Led Housing within rural exception sites. Such ideas could offer additional options to meet identified short-term needs*
- *Such ideas could offer additional options to meet identified short-term needs, and this is now reflected through the submission CNP.*

*In summary, recognising the government's aim to boost the supply of housing, and the fact that there is a local affordable housing need, the submission CNP aims to meet housing needs through: the allocation at Thickwood Field; MoD land release; and rural exception sites as appropriate'*

#### *European Legislation - Habitat Regulations (HRA)*

- 6.17 WC produced a Habitats Regulations Assessment (HRA) of the Plan in September 2021. It updated earlier work on this matter produced in 2020. It is a very comprehensive and helpful document. It builds on the work undertaken on HRA matters in both the Core Strategy and the Site Allocations Plan.
- 6.18 The submitted HRA assesses the impact of the submitted Plan on the following protected sites:
- River Avon SAC;
  - New Forest SAC/SPA;
  - Salisbury Plain SAC/SPA;
  - Bath and Bradford on Avon Bats SAC;
  - North Meadow and Clattinger Farm SAC; and
  - Mottisfont Bats SAC.
- 6.19 The Assessment sets out how both the Plan and the HRA has been refined and updated. This process reinforces the iterative nature of the plan-making process. It comments that:
- 'The HRA undertaken in relation to the pre-submission draft of the Plan required ten policies to be taken forward to appropriate assessment due to the potential mechanism for significant effects upon the Bath and Bradford on Avon Bats SAC. Within the appropriate assessment of each of the ten policies, amendments were recommended.*

*It was deemed that provided those recommendations were incorporated into the Regulation 15/16 draft, it was possible to conclude, beyond reasonable scientific doubt, that there would be no adverse effects on the Bath and Bradford on Avon Bats SAC, alone or in-combination with other plans and projects as a result of the Colerne Plan.*

*The current draft of the Colerne Plan submitted to Wiltshire Council to inform the Regulation 16 consultation response has incorporated the recommendations put forward in the previous iteration of the HRA. Consequently, the policies that previously triggered appropriate assessment in relation to the Bath and Bradford on Avon Bats SAC at the plan making stage can now be screened out, and therefore are not taken forward to appropriate assessment in this iteration of the HRA'*

- 6.20 In this context the HRA concludes that 'the other policies within the Plan would either not lead directly to development or have no potential to lead to significant effects upon any European sites either alone or in combination with other plans and projects'
- 6.21 The HRA process has recommended refinements to several policies to ensure that appropriate safeguards in place with regard to the Bath and Bradford on Avon Bats SAC. I am satisfied that this outcome has been translated into the relevant policies in the Plan.
- 6.22 The process followed provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters. Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

#### *European Legislation – Human Rights*

- 6.23 In a similar fashion, I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

#### *Summary*

- 6.24 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and CPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It also includes a series of well-developed Community Actions.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary, I have identified the inter-relationships between the policies. The report addresses the Community Actions after the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial section of the Plan (Sections 1-4)*

- 7.8 These introductory parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional fashion. It makes a very effective use of well-selected photographs and maps. A very clear distinction is made between its policies and the supporting text. The way in which the Plan uses graphic design and colours is most impressive.
- 7.9 The Introduction (Section 1) comments about the development of the Plan. It also provides background information on neighbourhood planning in general, and the way in which the submitted Plan will complement the wider development plan. It includes an excellent map of the neighbourhood area. It comments about the planning policy context within which the Plan has been prepared. The Plan period (to 2036) is mentioned loosely in the Foreword but not elsewhere. In order to ensure that the Plan complies with legislative requirements (see paragraph 2.6 of this report) I recommend that this matter is included in the Introduction. Otherwise, Section 1 is an excellent and informative introduction to the Plan.



*On page 5 under the Plan Designation heading add a new sentence after the second sentence to read: 'The Plan period is 2021 to 2036'*

7.10 The Profile (Section 2) comments about the neighbourhood area. It describes its history and its current profile. It also comments about the evidence gathered and used in the preparation of the Plan. It provides comprehensive information on the following matters:

- its geography;
- its history;
- its landscape; and
- the character of the three principal settlements (Colerne village, North Colerne and Thickwood).

This analysis is well-presented. It provides a very helpful context to several of the policies in the Plan.

7.11 The Development Strategy (Section 3) sets out the broader ambitions of the Plan based around a series of issues. It comments specifically the longer-term future and development potential of the MOD estate (the former RAF Colerne).

7.12 Section 4 sets out a thematic approach to the policies in the Plan. It then translates these matters into a distinctive vision and objectives for the Plan. This sets the scene for the Plan in general, and the policies in particular.

7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

#### Policy BE1: Character and Design

7.14 This policy seeks to safeguard the character and design of the neighbourhood plan. It comments that development proposals will be supported where their designs are in compliance with the relevant guidance in the Design Statement and be in harmony with or enhance their surroundings in terms of built form, height, materials, historic character and boundary treatments.

7.15 It is a very well-prepared and researched policy. It positively addresses the increasingly important national design agenda. It is based around the preparation of a Design Statement and which results in a distinctive local approach to design. The Statement operates at two levels. The first is at a neighbourhood area level. The second is at a Character Area level where the Statement identifies eleven-character areas in Colerne (A1-A11), two in Thickwood (B1 and B2) and two in North Colerne (C1 and C2).

7.16 The policy healthily combines an approach which captures both the importance of the national design agenda (in the supporting text) with a distinctive local approach.

7.17 The Plan was prepared within the context of the 2019 version of the NPPF. In July 2021 an updated version of the NPPF was published. The principal changes between the two versions of the NPPF relate to design matters. However, in many respects Policy BE1 had anticipated the contents of the updated NPPF. It references the

National Design Guide (Planning for a Healthy Life) and is directly informed by the excellent Design Statement. As such, I am satisfied that there the submitted Plan continues to have regard to national policy. Nevertheless, I recommend that the supporting text is expanded to address the updated NPPF. I also recommend that CPC takes the opportunity to update the supporting text in Section 5 of the Plan to reflect the slightly revised paragraph numbers in the 2021 version of the NPPF.

- 7.18 I recommend a series of detailed modifications to bring the clarity required by the NPPF. In particular I recommend that the opening part of the policy is reconfigured so that it concentrates on outcomes rather than the process of demonstrating compliance with the Design Statement and preparing Compliance Statements I also recommend that this part of the policy takes account of the scale and nature of the proposed development. Whilst good design applies universally, the policy is likely to have a greater effect on larger scale proposals rather than minor and/or domestic proposals. I also recommend that the three detailed elements of the policy are more seamlessly incorporated into the context of the policy – as submitted they sit as largely free-standing elements of the policy when in most cases, they describe the way in which the policy will be applied.

**Replace the policy with:**

**‘In order to create high quality buildings and places that are beautiful and enduring, development proposals should respond positively and distinctively to the National Model Design Code and the Colerne Design Statement as appropriate to their scale, nature and location. In particular, development proposals should be designed in a way which takes account of their surroundings in their built form, height, materials, historic character and boundary treatments.**

**Developments which feature innovative and/or modern designs will be supported where they respect their surroundings and complement the setting of other buildings in terms of their height, massing and use of materials.**

**Proposals which do not result in the creation of high-quality development or which unacceptably conflict with their surroundings will not be supported’**

*At the end of the Context add:*

*‘This approach is consistent with the design-led approach as captured in the NPPF (2021). The Neighbourhood Plan sets out the Parish Council’s approach towards a clear design vision and expectations for development sites. This will ensure that applicants have as much certainty as possible about what is likely to be acceptable. As paragraph 126 of the NPPF 2021 comments ‘The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests*

*throughout the process'. The Parish Council will work with other to achieve these outcomes in the neighbourhood area.*

*Policy BE1 sets out a broader policy approach to secure high-quality design in the neighbourhood area. Applicants should demonstrate the way in which they comply with the Design Statement in preparing their design and access statements to accompany planning applications. Where appropriate developers should demonstrate compliance with Building for a Healthy Life.*

*Some construction works by utility companies will need planning permission and others may not. In the latter case, whilst needing to ensure public safety and performance, proposed utility development should be sensitively positioned to respect the natural landscape in the wider neighbourhood area and the Colerne Conservation Area.'*

#### Policy BE2: Heritage

- 7.19 This policy celebrates the heritage of the neighbourhood area. It comments that planning applications for the demolition or development of, or substantial alterations to, the buildings or structures listed in the Historic Environment Record, or those identified in the Design Statement, will be expected to show that priority has been given to the retention of distinctive and important features. It then goes on to set out specific requirements which development proposals should meet.
- 7.20 The policy is evidence-based and refers both to the very comprehensive Historic Environment Record and to the buildings in the Design Statement. However, the former publication identifies the designated heritage assets and the latter identifies a series of buildings – some are designated heritage assets and some are not.
- 7.21 The NPPF 2021 takes a more nuanced approach to the protection of heritage assets. In particular it comments on the interplay between designated and non-designated heritage assets, the scale of the harm which would be generated by the development proposed and, in some cases, the public benefits which may arise from the proposal. In this context the submitted policy does not have regard to national policy.
- 7.22 Given the importance of heritage assets to the parish I recommend modifications to the policy so that it has regard to national policy and complements its provisions at a parish level. In this context, I recommend that the first part of the policy is reconfigured so that it follows the format of the relevant elements of the NPPF whilst providing a local context. In particular I recommend that the policy refers only to designated heritage assets (as set out in the Historic Environmental Record). The Design Statement includes a wider range of buildings. However, neither the Statement nor the wider Plan attempts to identify a series of non-designated heritage assets (often referred to as locally-listed buildings). As such, there is no practical way in which WC or a landowners would be able to identify which of the unlisted buildings mentioned in the Design Statement would be affected by the submitted policy.
- 7.23 On balance, I recommend the deletion of the second part of the policy. As submitted, it provides detail on some but not all of the scenarios addressed in the NPPF. In addition, the elements included in the Plan do not add any local value to the contents of the NPPF.

- 7.24 The third part of the policy is a procedural matter (the preparation of a heritage statement) rather than a policy. As such I recommend that it is deleted and repositioned into the Context.
- 7.25 The fourth part of the policy comments about retrofitting of historic buildings with energy efficiency measures. In general terms its approach is appropriate. Nevertheless, I recommend modifications to its wording so that it has the clarity required by the NPPF.

**Replace the first part of the policy with:**

**‘When considering the impact of a proposed development on the significance of a designated heritage asset as set out in the Colerne Historic Environment Record, great weight should be given to the asset’s conservation. Proposals which would result in harm to a designated heritage assets will be determined in accordance with Section 16 of the NPPF 2021’**

**Delete the second and third parts of the policy.**

**Replace the fourth part of the policy with:**

**‘The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings, including the retrofitting of listed buildings, and buildings of solid wall or traditional construction or within conservation areas will be supported where the works would safeguard the special characteristics of the heritage asset concerned’.**

*At the end of the Context add:*

*‘Policy BE2 addresses these matters. They are important to the character and appearance of the neighbourhood area. Where appropriate, a heritage impact assessment will be required to accompany a planning application’*

Policy BE3: Housing policy

- 7.26 This policy sets out the Plan’s approach towards the development of new housing. It comments that development must demonstrate how it meets residents’ revealed preferences for small scale developments capable of offering a mix of different dwelling types. It also comments that the mix of housing stock within any development must also demonstrate how it responds to local needs across a broad range.
- 7.27 The policy takes a proactive approach to this important matter. In particular, it seeks to ensure that residential development meets identified housing needs and is modest in scale. The supporting text comments that the policy should be read against the background of the Plan Development Strategy, Section 4, Topic Paper 1, and the contexts of the NPPF and Wiltshire Core Strategy.
- 7.28 In a wider sense, the policy takes a general approach. As such it has a non-prescriptive approach which has the ability to be applied based on circumstances which exist at the time which planning applications are determined within the Plan period.

- 7.29 Nevertheless the first part of the policy (on the need for small scale developments) is based on residents' revealed preferences rather than any detailed evidence and/or an assessment of the impact on the viability of development proposals. As such I recommend that this element of the policy is repositioned so that it sits at the end of the second part of the policy and offers specific support for small-scale developments which include a mix of different dwelling types.
- 7.30 The third part of the policy sets out local arrangements for the delivery of affordable housing. I recommend detailed modifications to take account of the representation from WC. It will bring the clarity required by the NPPF.
- 7.31 The fourth part of the policy requires that proposals for housing development should demonstrate the way in which they would comply with the principles contained in the submitted Design Statement. This would otherwise be an appropriate approach. However, in this case it repeats one of the elements of Policy BE1. As such I recommend that it is deleted. However, I recommend that the supporting text refers back to the overarching requirements of Policy BE1.
- 7.32 The fifth part of the policy sets out a sequential approach for the development of previously-developed land before greenfield land. It comments that this approach takes account of national policy. However, paragraph 120 c of the NPPF takes a more matter-of-fact approach in commenting that planning policies and decisions should 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. I recommend that the policy is modified to reflect this approach. It will ensure that the Plan has regard to national policy. It will also more closely reflect the nature of the site allocated for housing purposes in the submitted Plan.
- 7.33 I also recommend that the wording of the sixth part of the policy (on the Bath and Bradford on Avon Bats SAC) is modified so that it has the clarity required by the NPPF.
- 7.34 Otherwise, the policy meets the basic conditions. It will contribute significantly to the delivery of the economic dimension of sustainable development in the neighbourhood area.

**Delete the first part of the policy.**

**In the second part of the policy replace 'must' with 'should'**

**At the end of the second part of the policy (as submitted) add: 'Proposals for small scale developments which include a mix of different dwelling types will be particularly supported'**

**In the third part of the policy replace the bullet points with the following bullet points:**

- **Social Rent**
- **Affordable Rent**
- **Shared Ownership**

- **Community-Led Housing.**

**Delete the fourth part of the policy.**

**Replace the fifth part of the policy with: ‘Proposals for housing development which meet the other elements of this policy and would bring about the redevelopment of previously-developed land will be particularly supported’.**

**Replace the sixth part of the policy with: ‘Irrespective of the type of proposed residential development, proposals should be compliant with Bats Special Area of Conservation Planning Guidance for Wiltshire (Natural England and Wiltshire Council 2015)’**

*At the end of the Context section add: ‘Policy BE1 sets out a wider context for new development to respond to the principles within the Design Statement. This approach will apply to the development of housing sites.’*

Policy BE4: Housing Allocation

- 7.35 This policy proposes the allocation of land at Thickwood Field for the development of up to five houses to meet specific local housing needs. It is underpinned by a series of criteria including that the development is promoted by a community-led initiative.
- 7.36 The site is triangular in shape. It is located to the immediate north of Hillcrest. It is bounded by the road leading into Colerne and its associated tree cover to the west and by a traditional stone wall to the north and east.
- 7.37 The Plan comments that the site could be developable as a rural exception site for a small number of dwellings through a community-led housing initiative. It also comments that the costs associated with existing covenants on this land would preclude low-cost rental. As such the Plan proposes up to 5 homes. The landowner is working to secure a community co-operative for self/custom build for military veterans, with the ownership of the land remaining with the co-operative organisation.
- 7.38 The development of the site is both unusual and innovative in equal measure. In this context I sought commentary from CPC on:
- the way in which it had addressed the impact of the development of the site on the Cotswolds AONB and the extent to which the criteria in the policy would mitigate the impacts of development;
  - the relationship between the size of the site (0.4 hectares in size) and its limited yield of proposed dwellings;
  - the way in which the occupation of the houses (as intended in the policy) would be retained in perpetuity; and
  - the extent to which the site is available and capable of delivery.

I address these issues in turn in the next sections of this report, taking account of the responses from CPC.

*The way in which CPC addressed the impact of the development of the site on the Cotswolds AONB*

7.39 In its response to the clarification note CPC advised that:

'This development does not impact on any of the slopes or hilltops. The Design Statement has incorporated the AONB design guidance as identified in their policy CE3. The Cotswold NL policy C12 mentioned above has been fully considered within the strategic planning intentions of the Plan. Realistic arrangements and mitigation as mentioned above will be inevitable to deliver the outstanding truly-affordable housing needs for the Parish'.

7.40 In a broader policy context Core Policy 51 of the Core Strategy comments that:

*Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:*

*i The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies.*

*ii. The locally distinctive character of settlements and their landscape settings.*

*iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe.*

*ix Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty*

*Proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFNP) or Stonehenge and Avebury World Heritage Site (WHS) shall demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas*

7.41 I have considered this matter very carefully. In a national context paragraph 176 of the NPPF comments that 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues'. On the balance of the evidence, I am satisfied that the proposal has regard to national policy and is in general conformity with local planning policy. It is a modest and self-contained parcel of land bounded by walls, trees and existing housing. Its development will be seen within the context of the existing built development in Thickwood to its south. In addition, I am satisfied that the development has been proposed in very

distinctive circumstances to meet identified local housing needs and that its use can be controlled in perpetuity. In reaching this conclusion, I have also taken account of the support for the proposed development from WC in its capacity as the local planning authority.

*The relationship between the size of the site (0.4 hectares in size) and its limited yield of proposed dwellings*

7.42 In its response to the clarification note CPC advised that:

‘The site is triangular and, additionally, the root and drip line of the TPO trees needs to be avoided, thus reducing the actual available building area. In addition, the density of the build is required by the Design Statement to reflect that of the adjoining Thickwood Estate, while also respecting the heritage issues highlighted in the bespoke heritage impact assessment. The accommodation will also need to be fully accessible for disabilities. The figure of five is therefore realistic if all the accommodation is family-size. Those details are yet to be worked out with the landowner.’

7.43 Having seen the site and assessed it against the ambitions of CPC and the emerging proposal, I am satisfied that this matter has been satisfactorily addressed. The development of the site can be controlled both by the planning process and the parallel management regime for the site. In addition, its limited yield properly takes account of the need to protect the protected trees on the boundaries of the site.

*How the occupation of the houses (as intended in the policy) would be retained in perpetuity*

7.44 In its response to the clarification note CPC advised that:

‘All the communal areas of the site, including the TPOs and surrounding walls, will be owned by the co-operative. Individual house builders will be subject to a covenant that requires them to offer all future sales back to the co-operative for the benefit of future veterans.’

7.45 In these circumstances I am satisfied that the proposed site is capable of being controlled and managed in the longer term and which will reflect the somewhat exceptional circumstances for its release for development. The rather unusual circumstances of the promotion of the site highlights its innovative nature and the long-standing association of the parish with military families and veterans.

*The extent to which the site is available and capable of delivery*

7.46 In its response to the clarification note CPC advised that:

‘The landowner has confirmed that the land is still available for this development. He has been in contact with the local Community-led Housing hub “Homes of our Own” and is working towards establishing a veterans co-operative CIC for the building and management of the housing. Homes of our Own is supportive of ‘Self-build Co-operatives’ as a mechanism for creating affordable housing to meet local need’.



- 7.47 In these circumstances I am satisfied that the site is available for development and that there is a reasonable probability that it would be developed in the Plan period.

*The details of the policy itself*

- 7.48 The policy is criteria-based. It sets out a series of matters with which development proposals should comply. They seek to take account of the location of the site, its existing and proposed boundaries and mechanisms to ensure that the occupation of the houses on the site respects the very distinctive way in which has been brought forward in the plan-making process.
- 7.49 In general terms the policy addresses these matters in a very comprehensive fashion. However, to bring the clarity required by the NPPF I recommend that the initial part of the policy is reconfigured so that it allocates the site for development and identifies the criteria which should be met. I also recommend detailed modifications to the wording of the various criteria so that they have the clarity for development management purposes as required by the NPPF. In one case, I recommend that two criteria are combined into a single criterion. Otherwise, the policy meets the basic conditions. It has been carefully promoted by CPC to address specific local housing needs. It will contribute significantly to the delivery of the social dimension of sustainable development in the parish.

**Replace the opening part of the policy with:**

**‘The Plan allocates land at Thickwood Field for the development of up to five houses to meet identified specific local housing needs.**

**Development proposals for residential development on the site will be supported where they meet the following criteria’**

**In the schedule of criteria:**

**Replace a with: ‘The delivery and management of the development should be undertaken by a community-led initiative such as a community co-operative or a community custom and self-build organisation’.**

**Replace b and d with: ‘Vehicular access into the site should meet Wiltshire Council standards and ensure that no unacceptable damage is caused to trees on the site protected by Tree Protection Orders’**

**Replace c with: ‘The development of the site should take account of the existing trees on the boundary of the site and respect the tree preservation order trees ‘Root Protection Areas’ in accordance with BS5837 ‘Trees in Relation to Design, Demolition and Construction to Construction’**

**Replace f with: ‘The layout of the site should provide attractive frontages from external viewpoints’**

**Replace g with: ‘The design of the site should incorporate parking spaces which satisfy Wiltshire Highways residential parking standards’**

**Replace h with: ‘Existing dry-stone boundary walls surrounding the site should be retained other than where essential works are required to revise the existing access into the site or to create a new access (insofar as it is required to comply with highways access requirements)’**

**Replace j with: ‘The use of sustainable drainage techniques’**

**Replace k with: ‘Any required street lighting should be designed in a way which does not detract from the Plan’s dark skies policy and has no unacceptable impact on the amenities of neighbouring properties’**

**Replace m with: ‘Development proposals should be compliant with Bats Special Area of Conservation Planning Guidance for Wiltshire (Natural England and Wiltshire Council 2015)’**

Policy BE5: Sustainable Design and Construction

- 7.50 This policy sets out the Plan’s approach to sustainable design. It comments that proposals will be expected to consider how the development can achieve the highest level of energy efficiency possible, reduce the need for energy inputs, and use an appropriate supply of renewable energy developed on-site.
- 7.51 The policy takes a positive approach to this important matter. Nevertheless, in places it is rather general, and provides limited distinctive local guidance to developers. I recommend modifications to the first part of the policy to address these matters. They incorporate the following matters:
- ensuring that the approach taken is ‘where practicable’ rather than ‘where possible’;
  - to ensure that sustainable design is consistent with the character and appearance of the Character Area in which proposals are located
  - to ensure that the detailed matters in relation to energy inputs and on-site energy development are applied as appropriate to the scale, nature and location of development proposals
- 7.52 I also recommend consequential modifications to the supporting text.
- 7.53 I am satisfied that the second and third parts of the policy meet the basic conditions.

**Replace the first paragraph of the policy with:**

**‘Development proposals should be designed to achieve the highest level of energy efficiency practicable and which would be consistent with the character and appearance of the Character Area in which they are located. In addition, and as appropriate to their scale, nature and location, development proposals should reduce the need for energy inputs, and use a renewable energy resource developed on-site’.**

At the end of the Guiding Evidence section add:

*'Policy BE5 sets out to take a practicable and a proportionate approach to this important matter. Its first part ensures that sustainable design is consistent with the character and appearance of the Character Area in which the proposal is located. It also ensures that the detailed matters in relation to energy inputs and on-site energy development are applied as appropriate to the scale, nature and location of development proposals. Plainly larger proposals will offer a much greater opportunity for such approach. In contrast many minor and domestic proposals will present far less opportunities'*

Policy NE1: Landscape and Natural Environment

- 7.54 This policy addresses the landscape within the neighbourhood area. It comments that proposed development must maintain adequate open landscape space between Colerne and other settlements in the parish. It also comments that, where appropriate, planning applications should be accompanied by a landscape and visual impact assessment.
- 7.55 The policy also makes specific comments about Bath and Bradford on Avon Bats SAC.
- 7.56 As the Plan helpfully comments, the parish reflects its surrounding landscape. It has an unusual geology and topography, with several unique character areas, as defined by the Wiltshire Landscape Character Assessment (LCA) and the Cotswolds AONB Landscape Strategy and Guidance. The policy correctly captures these matters in its format and design. In particular it seeks to complement both national policy and local policy (Core Policy 51) on this important matter in general, and in relation to development in the AONB in particular.
- 7.57 The policy includes a mixture of policy and procedural matters. The latter describe the ways in which the policy will be applied. I recommend that the procedural matters are relocated into the supporting text to take account of their role in explaining policy. The overall effect of the policy approach remains unaffected. I also recommend a detailed modification to the wording of the first part of the policy so that it is more appropriate for a neighbourhood plan and brings the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will do much to deliver the environmental dimension of sustainable development.

**In a replace 'must' with 'should'**

**In a delete the final sentence**

**In b delete the final sentence and the two associated bullet points.**

At the end of Context add a new paragraph to read:

*'Policy NE1 sets out a policy context to address these important matters. In particular it seeks to complement both national policy and local policy (Core Policy 51) and in relation to development in the AONB in particular. Part a of the policy comments about the effect of new development on the landscape. Where appropriate, applications should be accompanied by a landscape and visual impact assessment. Part b*

*comments about the importance of new developments ensuring compliance with the importance and significance of the Bath and Bradford Bats SAC. To ensure such compliance:*

- *if any potential impacts on bat roosts, commuting corridors or foraging areas are identified, then a licensed bat ecologist should be commissioned to carry out a preliminary visit and desk study to assess the risk and the need for further survey work;*
- *all development brought forward within core areas shall produce a project-level Habitats Regulations Assessment of the development's impact on the integrity of the Bath and Bradford-on-Avon Bat SAC'*

#### Policy NE2: Green Infrastructure and Biodiversity

7.58 The policy has a focus on green infrastructure and biodiversity. Its initial part comments that proposals should demonstrate that consideration has been given to a range of environmental factors, including

- maintaining and improving the quality of existing green infrastructure;
- measures to reduce damage/disturbance to surrounding wildlife and green corridors and watercourses during the demolition/construction process;
- demonstrating how existing green areas and trees will be protected;
- respecting and accommodating the essential systems constituted by the numerous aquifers;
- a recognition of County Wildlife Sites and designated Sites of Special Scientific Interest.

7.59 Other elements of the policy comment about the mitigation hierarchy, biodiversity net gain and the Bats SAC.

7.60 In general terms, the policy takes a proactive approach to this important matter. In addition, the approach taken reflects the particular elements of green infrastructure in the neighbourhood area. Nevertheless, within this context I recommend a suite of recommended modifications as follows:

Part a of the policy simply requires that developers give consideration to a series of environmental matters. This approach could have unintended consequences. I recommend that the opening element is modified so that it requires a positive response to the factors identified.

Part b of the policy largely repeats the national approach towards the mitigation hierarchy. As there is no need for a neighbourhood plan to repeat or restate national policy, I recommend its deletion from the Plan

Modifications to the language used in the third part of the policy so that it shifts from a preference to one which expects biodiversity net gain on the development site unless this approach would be impracticable to achieve.

Modifications to the approach used in the fourth part of the policy to bring both clarity between policy and supporting text and to ensure that the supporting text properly sets out the respective responsibilities of the developer and the local planning authority.

**Replace the opening element of part a of the policy with: ‘Development proposals should positively respond to green infrastructure and biodiversity matters, including but not limited to:’**

**Delete part b of the policy (and refresh the lettering elsewhere in the policy).**

**Replace the second sentence of part c of the policy with: ‘The uplift should be achieved on the site itself. Where this would be impracticable to do so, it should be offset on other land within the immediate vicinity of the application site’**

**Delete the final sentence of part d of the policy.**

*At the end of the Context section add a new paragraph to read:*

*‘Policy NE2 addresses these important matters. Part c comments about the Bath and Bradford-on-Avon Bat SAC. Any proposed development within Core Areas should be accompanied with sufficient details of the development’s impact on the integrity of the SAC to allow Wiltshire Council to reach an informed decision on the planning application.’*

Policy NE3: Local Green Spaces

- 7.61 The policy follows on from extensive work undertaken during the plan preparation process to assess green spaces against the criteria in the NPPF for the designation of local green spaces (LGS). The findings of this work are captured in the submitted Local Green Spaces Report.
- 7.62 The policy proposes a LGS and identifies a potential longer-term LGS. The Plan proposes that LGS 5, Pinewood Playground is designated as LGS. It also proposes that the Northwood Play Area (which is currently within the MoD operational site) is identified as a potential LGS (LGS6) when the site is disposed. In doing so it comments that the site would represent an important community asset for residents of North Colerne.
- 7.63 I looked carefully at the proposed Pinewood Playground LGS. I saw that it was a play area surrounded by houses. There was clear evidence of its extensive use. I am satisfied that it meets the three criteria in paragraph 102 of the NPPF.
- 7.64 In addition, I am satisfied that its proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that its designation is consistent with the local planning of sustainable development. It does not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGS is capable of enduring beyond the end of the Plan period. Indeed, it is an established and well-used element of the local environment and has existed in its current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed LGS would not endure beyond the end of the Plan period.
- 7.65 The Northwood Play area is within the MoD operational site. As such I was not able to look at it in any detail. However, it is clear from maps that it has the potential to be

considered as a LGS. Nevertheless, any proposed LGS designation needs to be made at the time of the preparation/making of the Plan. In this context the following factors would not support its designation at this stage:

- the site is within a military compound and as such is not readily accessible other than to those which access into the compound; and
- there is no clarity on the extent to which the space would be capable of enduring beyond the plan period - the Plan openly acknowledges the potential for the redevelopment of the compound.

7.66 In these circumstances I recommend that LGS6 is deleted from the Plan. This approach corresponds both with the representation from the site owner (MOD) and CPC's response to the clarification note. However, I recommend that the potential future of the green space is captured in the supporting text.

7.67 The numbering used for LGSs reflects the way in which the Plan has been developed. Once the Plan is made this will no longer have any relevance. As such, I recommend that the numbering is deleted.

7.68 As submitted the policy proposes the designation of a local green space without identifying the policy implications of the designation. I recommend modification both to the policy and to the supporting text to remedy this matter. The recommended modifications take account of recent court cases on the way in which LGS should be designated.

**Replace the policy with:**

**'The Plan designates the Pinewood Playground as a Local Green Space. Development proposals within the designated local green space will only be supported in very special circumstances'**

*In the map for Pinewood Playground replace the number 5 with a key to read 'Pinewood Playground LGS'*

*Remove the map showing the potential LGS at Northwood from the policy.*

*At the end of the Context add:*

*'Policy NE3 designates the Pinewood Playground as a local green space. In doing so it follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the Pinewood Playground local green space within the Plan period, they can be assessed on a case-by-case basis by Wiltshire Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy*

*Earlier stages of the Plan looked at the potential to designate the play area at Northwood as a local green space. However, given its location within an operational military base such a designation has not been pursued in this Plan. However, Topic Paper 2: 'A Concept Statement for the MOD Estate' sets out the Parish Council's*

*approach to the opportunities, constraints and uncertainties regarding the future of the MOD sites. Whilst the master planning of RAF Colerne and Azimghur Barracks has not yet commenced the Parish Council will continue to liaise with the MOD as disposal progresses both in general terms, and with a view to any development which comes forward in the future safeguarding the existing Northwood Play Area'*

#### Policy NE4: Key Views

- 7.69 This policy seeks to safeguard views as identified in the submitted Key Views Report. The Plan identifies seven views which it comments must be maintained and protected and where any development must avoid significant adverse impact. It goes on to comment that planning applications proposing development which is of a scale that could impact on any key view must demonstrate how the proposal enhances and protects the character of the parish given its setting within the Cotswolds National Landscape.
- 7.70 I looked at the suggested Key Views carefully during my visit. Whilst they have been prepared by the Parish Council based on local knowledge and expertise, I am satisfied that they represent important views which reflect and characterise the nature of the landscape in the neighbourhood area. In addition, I am satisfied that they have been selected on their merits rather than in an attempt to prevent development – in particular there is no specific need for the Plan to promote new development based on the contents of the development plan in general terms, and existing housing delivery in the Corsham Community Area in particular.
- 7.71 However the policy and the supporting text demonstrate elements of inconsistency. On the one hand, the policy comments that the 'seven key views identified in the Key Views report must be maintained and protected and any development must avoid significant adverse impact'. On the other hand, the text comments that 'while policies cannot entirely prevent development within Key View lines, they can limit the impact that development has upon them'.
- 7.72 I recommend that the policy takes on a more nuanced approach to address this inconsistency. In particular the modifications shift the policy into a more positive context which requires that the scale, layout, and massing of development proposals should be designed to respect and, where practicable, to enhance an affected Key View. The second part of the modified policy sets out to balance any potential unacceptable impact of development on a key view with the public benefits which may arise from the proposed development. Plainly this will be a matter which WC will need to assess on a case-by-case basis within the context of the strategic policies in the development plan for the location of development in the County in general, and in the neighbourhood area in particular.
- 7.73 I also recommend consequential modifications to the supporting text and which address the inconsistencies identified in paragraph 7.71 of this report

**Replace the policy with:**

**‘The scale, layout, and massing of development proposals should be designed to respect and, where practicable, to enhance an affected Key View as shown in the details of the policy and the Key Views Report.**

**Development proposals which would have an unacceptable impact on an identified Key View will not be supported unless the public benefits arising from the development would outweigh the harm to the view concerned.’**

*Replace the second paragraph of the Context with:*

*‘Policy NE4 comments on the significance of identified key views in the parish and the way in which new development proposals should be designed to respect these important features of the natural landscape. The Key Views and Valued Views reports identify the various important landscape aspects of the parish’*

Policy EB1: Existing and Future Employment Opportunities

7.74 This policy sets out a package of measures to retain and stimulate employment opportunities in the parish as follows:

- the re-purposing of land and buildings currently used for employment purposes will not be permitted unless particular circumstances are met;
- the redevelopment for a continued employment of land and buildings already used for employment will be supported subject to certain criteria; and
- the establishment of small-scale employment enterprises on existing or new sites will be supported subject to certain criteria.

7.75 The policy takes a positive approach to this important matter. In particular, it responds to Section 6 of the NPPF (and paragraph 84 in particular) whilst ensuring that the local environment is safeguarded.

7.76 I recommend that the first criterion of the third part of the policy is deleted as it is inconsistent with the wider approach of this element of the policy. I also recommend that the wording of the fourth part of the policy (on the Bath and Bradford on Avon Bats SAC) is modified so that it has the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute significantly to the delivery of the economic dimension of sustainable development in the neighbourhood area.

**In the third part of the policy delete the first bullet point.**

**Replace the fourth part of the policy with: ‘Irrespective of the type of employment use proposed development should be compliant with Bats Special Area of Conservation Planning Guidance for Wiltshire (Natural England and Wiltshire Council 2015)’**

Policy SE1: Renewable Energy

7.77 This policy offers support for renewable energy proposals. It has two related criteria-based elements as follows:



- proposals for individual and community scale energy from solar photovoltaic panels or other forms of renewable generation will be supported; and
- renewable generation developments will be supported.

7.78 The policy takes an appropriate and positive approach to this important matter. In particular it has regard to paragraphs 153 to 158 of the NPPF. I recommend a specific modification to the fifth criterion of the first part of the policy to ensure that it has regard to the NPPF.

7.79 I also recommend that the specific reference to the need for a landscape and visual impact assessment in the first part of the policy is deleted and repositioned into the supporting text. Whilst it is an important matter, it is a process issue rather than a land use policy.

7.80 I also recommend a series of general modifications to the wording used in the policy to acknowledge the acceptability or otherwise of proposals rather than a focus on unspecified adverse effects.

**In the first part of the policy:**

**In i and ii replace ‘adverse’ with ‘unacceptable’**

**In iii replace ‘no significant harmful impact’ with ‘no unacceptable impact’**

**In iii delete ‘Applications should be accompanied by a LVIA’**

**Replace v with ‘being capable of being accommodated satisfactorily within the local road network**

*At the end of Guiding evidence add:*

*‘Policy SE1 sets out to take a practicable and a proportionate approach to this important matter. It offers support to particular types of development. The first part of the policy sets out to ensure that such proposals respect the character of the local landscape. Where it is necessary to demonstrate that development would achieve this objective, planning applications should be accompanied by a landscape and visual assessment’*

Policy SE2: Electrical charging points

7.81 This policy anticipates the future need for electric vehicle charging points. It comments that all new houses where dedicated parking is provided must have an appropriately located charging point. Where general parking areas are included in housing developments, it also comments that there should be an appropriate ratio of charging points available for general use.

7.82 The first part of the policy takes an appropriate approach to this matter. With a detailed modification to its wording, it meets the basic conditions.

7.83 The second and third policies encourage a similar approach towards non-residential developments and public buildings respectively. Whilst the ‘encouragement’ provided

is appropriate, it is not necessarily a policy. I recommend a modification to each element of the policy to offer support to the types of development anticipated by these elements of the policy.

**In the first part of the policy replace ‘must’ with ‘should’**

**Replace the second and third parts of the policy with:**

**‘Proposals for non-residential developments which provide electric charging points for staff and/or other users will be supported.**

**The installation of electric car charging areas at public buildings with vehicular access and public parking areas will be supported’**

Policy SE3: Lighting schemes

- 7.84 This policy comments that development proposals must demonstrate that all opportunities to reduce light pollution have been taken. The supporting text explains the parish context to the policy, and its relationship to national and local policies. The supporting text comments both about the AONB and the Bath and Bradford-on-Avon Bats SAC.
- 7.85 In general terms the policy addresses this important matter in a constructive way. Nevertheless, I recommend that it is modified so that it takes on more traditional policy format and brings the clarity required by the NPPF. However, its approach and effect remain unchanged.

**Replace the policy with:**

**‘Development proposals should demonstrate how they have been designed to reduce light pollution. In particular, proposals should address how:**

- **light pollution encompassing sky glow, glare and light spill will be minimised; and**
- **light intensity, emitted spectrum and duration of use will be controlled, and energy efficiency optimised.’**

Policy CHWB1: Protection and enhancement of community facilities

- 7.86 This policy recognises the importance of community facilities in the parish. I saw this issue first-hand during the visit. It comments that development proposals that would result in the loss of an existing community facility will not be supported unless one or more of a series of factors apply. It also comments that developments will be supported where they would enhance a community facility, including enhanced access and links to the community.
- 7.87 The policy takes an appropriate and balanced approach to this important matter. In particular, its first part takes account of viability issues and the potential for the community’s need for facilities to change in the Plan period.

- 7.88 In its response to the clarification note, CPC helpfully commented about the general application of the policy to existing and potential new facilities and that its application was not restricted to the examples included in the supporting text. I recommend a modification to bring clarity to this matter. I also recommend that the first part of the policy identifies more clearly the way in which a development proposal would need to satisfy one or more of the factors identified.
- 7.89 I recommend that the second part of the policy is modified so that it has the clarity required by the NPPF. However, its effect remains unchanged.
- 7.90 The third part of the policy arises from the HRA work undertaken. It is entirely appropriate and gives the Plan consistency and integrity. I recommend detailed modifications to its wording so that it can be more clearly applied through the development management process.
- 7.91 Otherwise the policy meets the basic conditions. It will make a significant contribution to the delivery of the social dimension of sustainable development.

**Replace ‘Proposals.... facility’ with ‘Development proposals that would result in the loss of a community facility’**

**After the first three bullet points in the policy add ‘or’**

**Replace the second part of the policy with: ‘Development proposals for the enhancement of a community facility, including enhanced access and links to the community will be supported’**

**Replace the third part of the policy with: ‘Irrespective of the type of community facility proposed development proposals should be compliant with Bats Special Area of Conservation Planning Guidance for Wiltshire (Natural England and Wiltshire Council 2015)’**

Policy CHWB2: Promoting additional community facilities

- 7.92 This policy continues the approach taken in Policy CHWB1. In this case, it comments that proposals for new or enhanced community facilities will be supported where they meet a series of criteria. The criteria are both appropriate and locally-distinctive.
- 7.93 The policy is well-constructed. It meets the basic conditions.
- 7.94 As with Policy CHWB1 it will make a significant contribution to the delivery of the social dimension of sustainable development.

Policy CHWB3: Walking and cycling

- 7.95 This policy comments that developments which incorporate a transport strategy advocating new and improved routes for pedestrians and cyclists will be supported, in particular where they increase accessibility to all, including wheelchair users and mobility scooters. In this capacity, it seeks to add local value to Policy 63 of the Core Strategy. It also includes other elements which address footpaths, cycleways and rights of way.

7.96 In the clarification note I sought CPC's comment on the extent to which the wording of the first part of the policy might have unintended consequences of supporting otherwise unacceptable development which incorporated a sustainable transport strategy. Based on the response to this matter, I recommend that this part of the policy is deleted.

7.97 Otherwise the policy meets the basic conditions. it will make a significant contribution to the delivery of the social dimension of sustainable development.

**Delete section a of the policy (and adjust the lettering elsewhere in the policy).**

Policy PAP1: Pre-application Procedures

7.98 This policy recognises the importance of pre-application discussions to secure high-quality development. It comments that in order to ensure positive and structured pre-application engagement, potential applicants submitting significant development proposals are expected to follow the Colerne Pre-Application Community Involvement Protocol.

7.99 As submitted, the proposed policy is as much about process as it is about policy. I sought CPC's comments on its intention for the policy. It commented that:

*'The aim of policy PAP1 is (for significant developments) to avoid situations where communities may be surprised by a full development application of which they were previously unaware containing controversial elements that could have been addressed by community involvement at a pre-application stage.'*

7.100 The importance of developers having early engagement with the local planning authority and other bodies involved in the development management process is widely understood. The general principle is captured in the NPPF as follows:

*'Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community'. (Paragraph 39)*

*'Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications' (Paragraph 40)*

7.101 The matter is also addressed in local guidance. Section 8.13 of the Wiltshire Statement of Community Involvement encourages pre-application discussions in general terms and identifies that such discussions should engage the local community as early as possible. It also offers encouragement to town and parish councils to take advantage

of such discussions when offered by developers. This is an important context within which the policy approach has been prepared.

- 7.102 CPC also drew my attention to other recent neighbourhood plans in the County which had addressed such issues in general, and the outcomes of planning applications which have come forward after pre-application discussions.
- 7.103 I have considered the policy very carefully and the extent to which it adds value to the approach in national and local policies and guidelines. In particular, I have taken account of the way in which the policy overlaps with related policies in neighbourhood plans elsewhere in the County.
- 7.104 In this context, the focus of the submitted policy is on the CPC's pre-application protocol rather than the outcome of planning applications. Plainly the two matters are related. Nevertheless, the policy (and the associated protocol) addresses process matters. My role is to examine the Plan as submitted rather than to propose an alternative approach which would focus on the outcome of planning applications. As such, I recommend that the policy is deleted and replaced with a further Community Aspiration.
- 7.105 The pre-application protocol has been carefully-developed. Nevertheless, I recommend a series of modifications to its contents so that it has a clearer relationship with national and local approach on this matter. The recommended modifications incorporate a closer and functional relationship between the work undertaken by WC (as the local planning authority) and the associated role of CPC; provide a context for any specific discussions with CPC may be invited to be involved outside discussions with WC and the deletion of the 'Endorsement' section of the Protocol. In relation to the latter issue as submitted the Plan suggests that CPC will 'determine' the resulting application. In a broader sense the recommended modifications also revise of the references to the NPPF (now 2021).

### **Delete the policy**

*Include a further Community Aspiration to read:*

*'In order to ensure positive and structured pre-application engagement, developers intending to submit significant development proposals, as defined in the Protocol, are encouraged to follow the Colerne Pre-Application Community Involvement Protocol. It has been to supplement the approach taken in the NPPF 2021 (paragraphs 39-46) and that which is taken by Wiltshire Council in its capacity as the local planning authority.*

*It is recognised that failure to carry out pre-application community engagement as described in the Protocol cannot in itself constitute a reason not to register a development application or on its own cause the refusal of a proposal. Nevertheless, the objective of the Protocol is to deliver a smoother and more harmonious process for development applications'*

*In the Pre-Application Protocol itself:*

*Update the Context to take account of the publication of the 2021 version of the NPPF.*

*Replace the initial element of the Process heading with: ‘In developments as defined above, developers engaging in pre-application discussions with Wiltshire Council should work in parallel with Colerne Parish Council to fulfil, as appropriate to the specific proposals, the following important principles:’*

*Replace the first bullet point with: ‘Early contact: By far the best results for all emerge when early contact is made with the Parish Council, and through us with our local community.’*

*Replace the second bullet point with: ‘Agreed Process: A key aim of this early contact is to discuss and agree the nature, scope, timetable, information and so forth of the engagement within the context of the broader engagement with Wiltshire Council, as the planning authority’*

*Delete the ‘Endorsement’ heading*

*At the end of the series of bullet points add a new paragraph to read:*

*‘This protocol reflects the way in which the Parish Council wishes to be engaged in pre-applications which a proposed developer is arranging with Wiltshire Council. In circumstances where a developer wishes to engage with the Parish Council before it engages with Wiltshire Council the same principles will apply to those discussions. Plainly in such circumstances the Parish Council will defer to Wiltshire Council on technical matters such as strategic planning policy and highways matters’*

Review of the Plan

- 7.106 Section 7 of the Plan comments about the management and review of the Plan. It takes a positive approach to this matter both generally and within the context of the emerging review of planning policy in Wiltshire in particular. The resulting Local Plan will run until 2036 and the submitted Plan carefully uses the same plan period.
- 7.107 This part of the Plan comments that CPC will ‘stand ready to sponsor a review of this Plan to respond to changing circumstances.’ Within the context of this very positive statement, I recommend that additional wording is included to highlight the importance of the adoption of the emerging Local Plan and the way in which CPC would respond to any conflicts which may exist between the two plans at that time. This approach takes account of section 38(5) of the Planning and Compulsory Purchase Act 2004 which requires that any such conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan. This legislative context has the potential to make elements of any ‘made’ neighbourhood plan (and as assessed for general conformity against the existing Core Strategy) out of date.

*At the end of Section 7 add: ‘In this context the Parish Council will assess the implications of the adoption of the emerging Local Plan on the contents of a made*

*neighbourhood plan. Where necessary it will assess the scale, nature and extent of any conflicts and consider how best to review the Plan. It will also ensure that the made or reviewed Plan is monitored on a regular basis to test the effectiveness of the policies and to respond accordingly'*

#### Community Aspirations

7.108 The Plan includes a series of Community Aspirations. They are non-land use issues which have naturally come forward as part of the plan-preparation process. They are captured in a separate part of the Plan as recommended by Planning Practice Guidance.

7.109 The Aspirations are as follows:

- additional allotment facilities (for example in an integrated North Colerne settlement);
- consideration to be given to development of shared work-spaces to anticipate a greater demand for home or near-home working;
- more, and improved, cycleways and pathways, in particular linking the “three settlements”;
- to address the climate and ecological emergency the Council should grant-aid the replacement of trees lost through old age or disease;
- an airfield and aircraft heritage and educational facility adjacent to the airfield to describe its historical and military significance to the RAF and the country;
- a meeting space for North Colerne surrounded by recreational land;
- a self-sustaining toilet facility at the Recreation Ground;
- a Community Energy scheme;
- parish gym/work-out facility;
- the Parish Council to represent to Wiltshire Council on a case basis the desirability of switching off street lights during the deepest hours of the night;
- feasibility study into the provision of public-access (community) EV charging points in Colerne, North Colerne and Thickwood;
- foster proposals for enhanced integrated all-age sport and recreational facilities, including a Colerne cricket club and other sports activities not at present catered for.
- feasibility assessment of, and planning for, a local carbon-neutral community transport scheme, and of a ‘Colerne Car Club’ (car-sharing);
- the Parish Council to develop and maintain a register of CIL funding priorities so that action can be expedited if and when funding is available.

7.110 I am satisfied that the various Aspirations are both appropriate and distinctive to the neighbourhood area. In some cases, they complement the land use policies.

#### Other matters - General

7.111 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, Colerne Neighbourhood Plan – Examiner’s Report

I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for WC and CPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

#### Other Matters - Specific

- 7.112 WC makes several detailed comments in its helpful representation on the Plan. I recommend modifications to address the matters raised insofar as they are needed to ensure that the Plan meets the basic conditions as follows:

*Several references to NPPF paragraph numbers need to be updated following the publications of the 2021 version of this important element of national policy; and*

*The various maps in the Plan should include the relevant Ordnance Survey licences*

- 7.113 There are some minor inconsistencies in the numbering of the character areas in the submitted documents. As such I recommend corrections to certain of the references to remedy the matter. In doing so I am satisfied that no-one has been disadvantaged by these inconsistencies.

*On the map on page 14 of the Design Statement identify the character areas as follows: C1 for Pinewood, and C2a for Redwood, C2b for Southwood, and C2c for Northwood.*

*Modify the associated details and references on page 31 of the Design Statement to reflect those on its page 14.*

#### Other Matters – Advisory Comments

- 7.114 The Plan itself is very well-written. However, as WC point out it does not include paragraph numbers. Such an approach may have the ability to detract from the format and layout of the Plan. Nevertheless, the inclusion of paragraph numbers would improve the legibility of the Plan in the development management process. This is not a basic conditions matter and therefore I do not raise it as a recommended modification. Nevertheless, I suggest that WC and CPC discuss the matter and agree a way forward.



## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Colerne Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 On the basis of the findings in this report I recommend to Wiltshire Council that subject to the incorporation of the modifications set out in this report that the Colerne Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose 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 originally approved by Wiltshire Council on 27 June 2017.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**2 December 2021**