

# **Downton Parish Neighbourhood Plan 2015-2026**

**A report to Wiltshire Council on the Downton Parish  
Neighbourhood Plan**

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## **Executive Summary**

- 1 I was appointed by Wiltshire Council in April 2016 to carry out the independent examination of the Downton Parish Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 24 April 2016.
- 3 The Plan proposes an extensive range of policies and seeks to bring forward positive and sustainable development in the plan area. There is a very clear focus on promoting sustainable development in general and new housing in particular to meet strategic objectives whilst safeguarding the wider landscape of the area.
- 4 The Plan has been significantly underpinned by community support and engagement. It seeks to achieve sustainable development in the plan area and which reflects the range of social, environmental and economic issues that it has identified.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Downton Parish 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 plan area.

**Andrew Ashcroft**  
**Independent Examiner**  
**23 June 2016**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Downton Parish Neighbourhood Plan 2015-2026 (DPNP).
- 1.2 The Plan has been submitted to Wiltshire Council (WC) by the Downton Parish Council 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 in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the DPNP 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.
- 1.5 This report also provides a recommendation as to whether the DPNP should proceed to referendum. If this is the case and that referendum results in a positive outcome the DPNP would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

## **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 the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both WC and the Parish Council. 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 30 years' experience in various local authorities and which since 2002 was 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.

### *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 DPNP is submitted to a referendum; or
  - (b) that the DPNP should proceed to referendum as modified (based on my recommendations); or
  - (c) that the DPNP does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

### *The Basic Conditions*

- 2.5 As part of this process I must consider whether the submitted DPNP 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; and
  - contribute to the achievement of sustainable development; and
  - be in general conformity with the strategic policies of the development plan in the area; and
  - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the submitted DPNP against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth bullet point above in paragraphs 2.6 to 2.10 of this report.

- 2.6 In order to comply with the Basic Condition relating to European obligations WC carried out a screening determination of the need to carry out a Strategic Environmental Assessment of the DPNP. It was carried out on the submission version of the DPNP in September 2015. Following an analysis of likely significant

effects WC considered that the DPNP was unlikely to have significant environmental effects and accordingly did not require a Strategic Environmental Assessment. Full and appropriate consultation was carried out with the consultation bodies. The report identifies six key reasons why that decision was made.

- 2.7 WC also carried out a Habitats Regulations Assessment (HRA) of the DPNP in an iterative fashion. As part of the original documentation I was provided with a copy of the May 2015 HRA. This was then updated in May 2016 as part of the examination process. This is good practice. This process concluded that the majority of the policies and proposals in the DPNP would not give rise to likely significant effects on Natura 2000 sites.
- 2.8 It also concluded that five policies had the potential to give rise to significant effects in combination with other plans and projects. These policies were considered through appropriate assessment in section 5 of the report to determine whether they could lead to loss of site integrity of the River Avon SAC and the New Forest SPA. In all cases the assessment concluded that additional wording could be added to the explanatory text in the Plan to explain the measures that would need to be taken to ensure adverse impacts were avoided or offset. On the basis that the relevant wording was added to the appropriate sections of the Plan the assessment concluded that the DPNP would not lead to a loss of site integrity of either of the two identified European protected sites. I address this matter in section 7 of this report and in my recommended modifications.
- 2.9 Having reviewed the information provided to me as part of the examination I am satisfied that a thorough, comprehensive and proportionate process has been undertaken in accordance with the various regulations. The information provided is succinct and proportionate to the DPNP. The whole process provides confidence both in general and in terms of the associated consultation process in particular. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted DPNP is compatible with this aspect of European obligations.
- 2.10 In a similar fashion I am satisfied that the submitted DPNP 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 DPNP does not breach, nor is in any way incompatible with the ECHR.

#### *Other examination matters*

- 2.11 In examining the DPNP I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan 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.

2.12 Having addressed the matters identified in paragraph 2.11 of this report I am satisfied that all of the points have been met subject to the contents of this report.

### **3 Procedural Matters**

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

- the submitted DPNP and its appendices.
- the DPNP Basic Conditions Statement.
- the DPNP Consultation Statement and its appendices
- the DPNP Screening report prepared by WC
- the DPNP Habitats Regulations Assessment prepared by WC
- the representations made to the DPNP.
- the adopted Wiltshire Core Strategy
- the saved Salisbury Local Plan
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- recent Ministerial Statements (March, May and June 2015).

3.2 I carried out an unaccompanied visit to the Plan area on 24 April 2016. I looked at the overall character and appearance of the Plan area and at those areas affected by its policies in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.14 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 DPNP could be examined without the need for a public hearing. I advised WC of this decision early in the examination process.

## 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 the Parish Council has prepared a Consultation Statement. This statement is thorough and comprehensive. It also provides specific details on the consultation process that took place on the draft version of the Plan in 2015. These details set out how the emerging plan took account of the various comments and representations.
- 4.3 Section 3 of the Plan itself also set out details of the wider consultation process that has been carried out as part the evolution of the Plan. In combination the elements of the Plan provide details about:
- the establishment of the Steering Group;
  - the establishment of a specific website ([downtonfuture.org.uk](http://downtonfuture.org.uk)), and the distribution of a quarterly newsletter;
  - the holding of open days and other open events and which were based around meeting people at various locations and at various events in the village;
  - the carrying out of household surveys;
  - consultation with local businesses;
  - consultation with landowners;
  - consultation with specific groups (including local organisations, young people and older people).
- 4.4 The Consultation Statement also provides very useful information about the methods of community engagement. It is particularly helpful and informative that the consultation events were focused on those parts of the village that would naturally generate the most footfall and activity. I saw from my own visit to the Plan area that the area around the White Horse Inn in the Borough was naturally at the heart of the community.
- 4.5 It is clear to me that consultation has fundamentally underpinned 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. Consultation and feedback has been at the heart of the Plan throughout the various stages of its production.
- 4.6 The appendices to the Consultation Statement has been particularly informative to my examination of the Plan. They set out how the Plan evolved between the pre-submission and submission phases. The positive approach that was taken in responding to the earlier comments is reflected in the limited number of



representations received to the submitted plan (see 4.8 below) and their generally supportive nature.

- 4.7 From all the evidence provided to me as part of the examination, I can see that the DPNP has promoted an inclusive and comprehensive approach to seeking the opinions of all concerned throughout the process. WC is fully satisfied that the consultation process has complied with the requirements of the Regulations.

*Representations Received*

- 4.8 Consultation on the submitted plan was undertaken by the Wiltshire Council for a six-week period and which ended on 25 February 2016. This exercise generated comments from the following persons or organisations:

- New Forest District Council
- New Forest National Park Authority
- English Heritage
- Hampshire County Council
- Environment Agency
- Wessex Water
- Wiltshire Council (Children's Services)
- Wiltshire Council

- 4.9 In several cases the organisations listed above submitted multiple representations. In total there were 17 separate representations made to the submitted Plan

## **5 The Plan Area and the Development Plan Context**

### *The Plan Area*

- 5.1 The Plan area covers the whole of the parish of Downton. It was designated as a neighbourhood area on 6 August 2014.
- 5.2 The Plan area is located within the south-eastern corner of the county of Wiltshire. The northern extremity of the plan area is around two miles to the south of Salisbury and its southern end is around two miles from the New Forest National Park. The plan area is predominantly rural. It is dominated in environmental terms by its setting within the floodplain of the River Avon. The built environment is concentrated in Downton itself, Charlton-All-Saints and Standlynch. The historic core of Downton is a conservation area.
- 5.3 As I saw from my visit, the Plan area provides an interesting and varied set of environmental and landscape issues. In addition to the importance of the river floodplain the plan area is also characterised by chalk downlands which rise from the valley eastwards to Barford and Witherington Downs and westward to New Court and Clearbury Ring. The downland in the western part of the plan area forms part of the Cranbourne Chase Area of Outstanding Natural Beauty.

### *Development Plan Context*

- 5.4 The development plan covering the neighbourhood plan area is the Wiltshire Core Strategy. It was adopted in January 2015. The Core Strategy provides a positive context in which the DPNP has been prepared
- 5.5 The Core Strategy identifies a series of Area Strategies within the county. The Plan area falls within the Southern Wiltshire Strategy Area. The settlement strategy within the Plan (Core Policy 1) identifies Downton as one of a series of Local Service Centres that will provide for modest levels of development in order to safeguard their role and to deliver affordable housing
- 5.6 The strategy for the Southern Wiltshire Community Area is to provide for balanced growth of both housing and employment to deliver sustainable communities and help address the shortfall in affordable housing. The strategy will respond to the Community Area's location (in full or part) within a nationally designated landscape. In the Southern Wiltshire Community Area this includes the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty and the New Forest National Park. It will deliver, within the overall objective of conserving the designated landscapes, a modest and sustainable level of development.
- 5.7 Paragraph 5.126 of the Core Strategy identifies a series of issues that will need to be addressed in future planning in the community area. These have a bearing on certain policies in the submitted DPNP. The Core Strategy identifies that Downton, as a Local Service Centre will continue to be the focus for appropriate levels of managed

growth. It is expected to deliver 190 new dwellings within the Plan period. The Core Strategy also sets out a series of more general county wide policies and which address the economy, climate change, housing, the natural, built and historic environment and infrastructure

- 5.8 Appendix D of the Core Strategy identifies the various policies in the Salisbury Local Plan 2011 that have been saved pending the preparation of the Wiltshire Housing Sites Allocations Plan.

*Site Visit*

- 5.9 I carried out an unaccompanied visit to the Plan area on 24 April 2016. I parked in Moot Lane and spent some time looking around the fascinating Downton Moot area. I found the amphitheatre and enjoyed the view of the roofscape of the village from the top of the castle keep.
- 5.10 I continued my visit by walking along High Street towards the cluster of retail and business premises at its junctions with Church Leat and Church Hatch. I saw a very pleasant collection of attractive buildings within the conservation area and of a variety of ages. The combination of clay tile and thatch roofing materials was particularly pleasing. I looked at both the St Laurence church and the Old Tannery/Church Leat residential developments.
- 5.11 I then walked along the banks of the River Avon towards Charlton-All-Saints. In doing so I saw the extensive tracts of water meadows running along the river. I saw three pairs of swans paddling gently downstream and for several minutes lost sight of the purpose of my visit to this remarkable landscape.
- 5.12 I then continued walking westwards into the Borough. It presents a very pleasing design concept with its central grass verge framed by attractive buildings on each side. I saw the particularly attractive terrace of thatched properties on its southern side as the main A338 is approached. I also saw the additional concentration of shops and commercial premises at the junction with Gravel Close and South Lane. The conservation area continued to reveal particularly attractive buildings; in South Lane I saw Burrgh Manor and the unusually-ornate Baptist church. In Gravel Close I saw the beautifully detailed CoE primary school with its pleasant blend of traditional and modern architecture.
- 5.13 The character of the village changed on arrival at the A338. Nevertheless, it remained attractive and I saw several interesting vernacular buildings. I walked to the north up to the Esso petrol filling station and the variety of commercial buildings. I then walked to the south and saw the Mazda garage and the main vehicular entrance to the Trafalgar school.
- 5.14 Later on my visit I drove to Charlton-All-Saints and to Standlynch to get a full impression of the scale and character of the neighbourhood plan area.

## **6 The Neighbourhood Plan as a whole**

- 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 in the preparation of this section of the report. It is a well-presented and informative report. In particular, it has addressed the strategic issues that I have already set out in relation to the Wiltshire Core Strategy in the previous section of this report.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.10 of this report have already addressed the issue of conformity with European Union legislation.

### *National Planning Policies and Guidance*

- 6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.
- 6.4 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 Downton Parish Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Core Strategy.
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities.
  - proactively driving and supporting economic development to deliver homes, businesses and industrial units and infrastructure.
  - actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling.
  - taking account of and supporting local strategies to improve health, social and cultural well-being.
  - Conserving heritage assets
  - Supporting the transition to a low carbon future and taking account of flood risk

The Basic Conditions Statement helpfully lists these and other core principles. It identifies how the DPNP addresses and conforms to these important planks of national policy.

- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 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.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the ministerial statements of March, May and June 2015.
- 6.7 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 plan area and promotes sustainable growth. At its heart is an extensive suite of policies that aim to bring forward sustainable development and safeguard the rich built and natural heritage in the Plan area.
- 6.8 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 (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (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.
- 6.9 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*

- 6.10 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. It is clear to me that the submitted Plan has set out to achieve sustainable development in the Plan area. In the economic dimension the Plan includes policies to encourage the full use of the Business Park, to support new retail units and to support the establishment of new tourism and leisure facilities. In the social role it includes a suite of policies and proposals to safeguard existing community and leisure facilities and to promote or require the development of new facilities. In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment of the parish. In particular, it includes guidance on landscape and the natural environment, and on drainage, groundwater and surface water drainage.

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

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

6.12 I consider that the submitted DPNP delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. The DPNP is in general conformity with the strategic policies in the development plan.

## **7 The Neighbourhood Plan policies**

7.1 This section of the report comments on the range of 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 and to the non-land use proposals.

7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is thorough and distinctive to the Plan area. The wider community and the Parish Council have spent considerable time and energy in identifying the issues and objectives that they wish to be included in their Plan. This gets to the heart of the localism agenda.

7.4 The Plan is designed to make a distinction between land uses policies and other proposals which are not land use based. This approach directly reflects Planning Practice Guidance (41-004-20140306) which indicates that neighbourhood plans must address the development and use of land. The same paragraph identifies that the neighbourhood planning process can inspire local people to consider ways to improve their neighbourhood other than through the development and use of land. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land uses matters should be clearly identifiable. The general approach adopted in other such plans is that non land use policies and proposals are positioned in a separate part of the Plan away from the main land use policies. In this case however I am satisfied that there is benefit in the two elements sitting side by side. They stem from the same supporting text and are generally easy to distinguish one from the other.

7.5 I have addressed the policies in the order that they appear in the submitted plan. In some cases, there are overlaps between the different 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. Appendix 1 sets out a schedule of the policies and proposals in the submitted plan and their revised numbers in the event that the recommended modifications set out in this report are accepted. Where I have recommended modification to policies in

the Plan and which refer to other Plan policies I have included the policy number from the recommended modifications part of Appendix 1 and shown it in brackets.

*Sections 1 to 8 of the Plan*

- 7.8 These introductory elements of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is well-presented and arranged and it is supported by well-chosen photographs and diagrams. The photographs add value and depth to the text in these sections of the Plan. The theme continues throughout the Plan and makes it interesting both to local residents and others who may be using it as a planning document throughout its lifetime.
- 7.9 Sections 1-3 the Plan provides a very clear context to the role and purpose of neighbourhood planning and the designation of the neighbourhood planning area. Sections 4-5 sets out the background to the preparation of the Plan and its interpretation of sustainable development and its development of a vision and objectives. Sections 6-7 sets out how the various policies have been crafted and how they will be both implemented and funded where appropriate. Section 8 then sets out some background information on the location and history of the neighbourhood area. These introductory sections demonstrate that the DPNP has been prepared and submitted in a professional way. The policies have been developed in an iterative fashion and are the outcome of proper research and an assessment of available information.
- 7.10 There are elements of these early sections of the Plan where the language lacks the necessary clarity for a development plan document. I list these below with the necessary recommended modifications

The front cover seeks to identify the period to which it has effect. It does so by indicating the date of its submission to WC. I recommend the following modifications to ensure compliance with the Regulations

*Modify the top strip to read '2016 and 2026'.*

*Modify the bottom strip to read 'From (insert the date of the making of the Plan) to 2026'.*

*Delete 'November 2015'*

Section 2 Second paragraph

*Replace 'how' with 'where'*

Section 2 Fifth paragraph (is a repeat of the fourth paragraph)

*Delete*

Section 4 Figure 2

*Show boundary of New Forest National Park on figure and in key*

Section 7 Community Infrastructure Levy

*Replace 'rented affordable housing.....market rent' with 'affordable housing'*

- 7.11 In Section 8 of the Plan there is a need to insert a paragraph recommended in the Habitats Regulations Assessment. This will ensure that the Plan meets the basic condition on European legislation.

Insert the following text at the end of Section 8 of the Plan

***'European protected sites***

*As well as being designated as SSSI's, the River Avon and most of the New Forest are protected by European legislation. The River Avon is a Special Area of Conservation (SAC) for its plant and fish communities as well as a tiny snail, Desmoulin's whorl snail. The New Forest is protected under two European designations; as a SAC for its woodland, marsh and heath habitats and as a Special Protection Area (SPA) for several species of birds including the ground nesting species woodlark, nightjar and Dartford warbler which are particularly sensitive to recreational pressure. While these European designations enrich Downton as a place to live they also confer statutory obligations to ensure development does not impact on the special features. Development which has the potential to affect the river or the New Forest will be duly assessed by the appropriate authorising authorities and where necessary mitigation measures or changes to the development proposals may be required.*

*Policies in General*

- 7.12 The Plan policies are helpfully set out in five major blocks. The presentation of the Plan makes a clear contrast between the policies themselves and the supporting text. This will ensure that decision-makers have clarity on the policies in the DPNP.

*Facilitating and Funding Policies*

*FF1*

- 7.13 This policy sets out to secure appropriate community contributions from developments in the plan area. The text helpfully refers to the adopted Community Infrastructure Levy. As drafted it is more a statement of intent than a land use policy. I recommend a modification to relate it directly to the planning application process.

**Recommended modification:**

**Subject to other policies in the neighbourhood plan development proposals will be supported which deliver appropriate community contributions to mitigate their impacts on the local environment and to provide proportionate and necessary improvements for the benefit of local residents.**

*Landscape and Character Policies*

*LC 1*



- 7.14 This policy sets out to ensure that new development must have no adverse effect on heritage assets, respect local building styles and traditions and enhance the character of the local environment. Given the attractive nature of the surrounding countryside this policy approach is entirely appropriate.
- 7.15 By its nature the policy is wide-ranging and of universal application. It overlaps with other policies in this section of the Plan. In the round I can see that it provides a useful context for the wider Plan and other related policies and has an appropriate role to play. However, in order to provide the type of clarity that is required by national policy I recommend some modifications below. In particular, they will provide a degree of definition and use the language employed in national policy. Where appropriate the modifications also cross-reference this overarching policy to other more detailed policies

**Development within the Plan area will be expected to respect designated heritage assets, respect local building styles and traditions in accordance with policy (LC2) and safeguard the character of the local environment in general, and the Cranbourne Chase Area of Outstanding Natural Beauty and the River Avon SAC in particular.**

LC2

- 7.16 This policy requires that all development in the conservation area must conform to the guidelines set out in the Village Design Statement. This is a particularly important policy given both the extent and the quality of the conservation area.
- 7.17 In order to ensure that it has regard to national planning policy I recommend that this policy refers to the statutory need for proposals in the conservation area to preserve or enhance its character or appearance. In addition, whilst I am satisfied that the reference to the principles set out in the Village Design Statement is entirely appropriate, general conformity to the policies in the development plan would best be achieved if the policy also referred to the Conservation Area Appraisal and Management Plan. I also recommend that the supporting text is modified to confirm that this Management Plan has been adopted by Wiltshire Council. In addition, the policy should signpost the reader to the figure in the Plan that identifies the extent of the conservation area. This will provide the appropriate level of clarity necessary for a development plan.

**Recommended modification:**

**New development proposals within the Downton Conservation area (as shown on Figure 8) will be required to preserve or enhance its character or appearance. New development proposals will also be expected to conform to the principles included both in the Downton Village Design Statement and in the Downton Conservation Area Appraisal and Management Plan.**

*Recommended modification to supporting text:*

*Include 'The Conservation Area Appraisal and Management Plan has been adopted by Wiltshire Council' at the end of the second paragraph on page 23.*

#### LC3

- 7.18 This policy requires that all new development and any alterations to existing buildings should achieve the highest levels of energy efficiency and sustainability.
- 7.19 The Ministerial Statement of March 2015 sets out the government's policy on this matter. In particular, it comments that local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. Nevertheless, I am satisfied that this policy meets the basic conditions. Whilst it requires high standards of energy efficiency, it does not identify particular local or technical standards. It also provides a degree of flexibility based on issues of visual impact and the position of the building in the landscape.

#### LC4

- 7.20 This policy sets out to resist development that would adversely affect the Avon Valley SSSI and the Special Landscape Area.
- 7.21 The approach adopted in this policy is appropriate. Nevertheless, Wiltshire Council's most recent Habitats Regulations Assessment comments that this policy is now out of date following the adoption of the Wiltshire Core Strategy. It proposes a modified form of wording. This wording will ensure that the DPNP meets the basic condition of being in general conformity with the strategic policies of the development plan. It is reflected in my recommended modification below:

**Recommended modification:**

**Development which adversely affects European protected sites or impacts on County Wildlife Sites or other features protected through Wiltshire Council's Core Policy 50 Biodiversity and Geodiversity will not be supported.**

#### LC5

- 7.22 This policy sets out to resist housing development on identified public green infrastructure. It lists the key elements of that infrastructure.
- 7.23 This policy is entirely appropriate given the nature of the neighbourhood area. It meets the basic conditions.

#### LC6

- 7.24 The policy indicates that the scale and mass of new development must be sensitive to local topography and landscape. It also sets out a policy context for development in the rural parts of the Plan area
- 7.25 In order to provide the clarity required by the NPPF I recommend modifications to its wording. In doing so I have recommended that the policy is broken down into its two component parts, and that both those parts are positively worded.

**Recommended modification:**

**The scale and mass of new development will be expected to be informed by, and to be sensitive to the local topography and landscape character of the Plan area.**

**New development will be expected to reflect the character and appearance of the rural landscape. Proposals that fail to do so will be resisted.**

LC7

- 7.26 This policy sets out to promote the activities of the Downton Green Group. Its focus is on the re-use and recycling of household goods.
- 7.27 I can see that the Group has a positive role to play in the future of the Plan area. Nevertheless, this is not a land use policy. It should properly be captured as a non-land use proposal in a similar fashion to other such proposals elsewhere in the Plan.

**Recommended modification**

**Delete Policy**

*Reintroduce its contents as Landscape and Character Proposal (LCP1)*

Housing Policies

- 7.28 The housing policies sit at the heart of the DPNP. They follow on from extensive supporting text in Section 9.2. The suite of policies has generated several representations commenting that it is unclear which of the identified SHLAA sites may eventually come forward within the Plan period. This is an important factor given the need for clarity in a development plan context. As part of my examination of the Plan I have also identified internal inconsistencies between the six land use policies. These issues are reflected in my recommended modifications both to the policies and the supporting text. I comment below on the policies in turn. I have addressed the internal inconsistency issue by recommending that some of the policies in the draft plan are combined.

LH1

- 7.29 This policy is of an overarching nature. It seeks to facilitate the delivery of the 190 dwellings for Downton as set out in the adopted Core Strategy. I have proposed a modification to the policy so that it facilitates that level of growth rather than requires an alignment to the figure. This will ensure that the Plan adequately reflects the advice in the NPPF about housing delivery.
- 7.30 Both the May 2015 and the May 2016 HRA have recommended that additional wording should be added to the supporting text. The additional wording is required to ensure that the Plan meets the basic condition relating to European legislation. The insertion of the HRA wording is reflected in my recommended modifications.

## LH2

- 7.31 This policy sets out the community's expectation for new residential proposals to deliver the Core Strategy growth. It indicates that the preference should be for either infill development and/or small scale developments between 15 and 25 dwellings. This approach is entirely appropriate to the circumstances of the Plan area. I have recommended a modification that combines LH1 and LH2 (and LH3 below) to provide clarity on the level and scale of growth required to meet strategic requirements. I recommend that the policy approach with regard to the scale of any additional development (as currently captured in Policy LH2) is simplified to bring the clarity required by the NPPF.

## LH3

- 7.32 This policy identifies where new residential should take place in the Plan area. Locations within and adjacent to the identified Downton settlement boundary in the Core Strategy are considered to be appropriate. Other development in the countryside and away from the main settlement boundary of Downton is considered to be inappropriate. This approach is entirely consistent with national and local planning policy. However as currently drafted this policy uses loose expressions such as 'should be avoided' and 'should have some proximity'. I recommend a modification to the policy to provide clarity of what types of proposals will and will not be approved – this is critical to the development management process. This policy approach will sit most comfortably as part of the merger of policies LH1/2.

## LH4

- 7.33 This policy follows on from the extensive analysis of the emerging SHLAA sites in the parish area set out on page 31 of the submitted plan. As drafted the policy indicates that new development should come forward either on brown field sites or on the identified SHLAA sites in the order identified in the site preferences. As drafted this policy is unclear in terms of the trigger points for additional development to come forward and its overlap with policy LH3. In addition, the supporting text has now been overtaken by two related events. In the first instance an application for 99 homes has now been granted planning permission on SHLAA site 200a. In the second instance the emerging refined options in the Wiltshire Housing Site Allocations Development

Plan Document has reconfigured the schedule of sites from earlier work. SHLAA sites 200a, 200b and 3026 are identified as option 1 sites. SHLAA sites 195 and 3386 are identified as option 2 sites. The other sites considered earlier in the process (and to the east of the village) are discounted. I recommend that the schedule of sites in the DPNP should be amended accordingly. This will produce clarity. In any event the focus on sites to the west of the village accords with the views of the community already included in the Plan. I recommend that this policy is modified to sit within the context of the framework provided by policy LH1/2/3. It would then also provide a single and cohesive approach to the release and location of new residential development in the neighbourhood area.

#### LH5

- 7.34 This policy sets out to address the need for a variety of housing types in the Plan area and as identified in the Housing Needs Survey. That survey is a well-considered and researched document.
- 7.35 A policy of this type is entirely appropriate. I have recommended a modification so that there is clarity to the decision-maker and the developer on the expectations for residential proposals adequately to respond to this Survey in the formulation and determination of planning applications.

#### LH6

- 7.36 This policy seeks to ensure that future residential development is evenly phased over the life of the Plan period.
- 7.37 The approach adopted in national policy is to boost the supply of new housing. It would however be unreasonable and impractical to phase development throughout the Plan period. Different sites will be developed at different times, and build rates will be affected by a variety of commercial and market factors. On this basis I recommend the deletion of the policy.
- 7.38 WC has suggested a factual update and corrections to the supporting text on the provision for gypsies and travellers. The ability to do so is within my remit as the examiner and I recommend accordingly in Appendix 2.

#### **Recommended modification to policies LH1, LH2 and LH3:**

##### **Combine the policies to form a new policy and to read:**

**The Neighbourhood Plan will facilitate the delivery of 190 homes within the Plan period. Subject to other policies in this Plan new residential development proposals will be supported to achieve the strategic housing requirement where they deliver infill development or small scale development of no more than 25 dwellings within and immediately adjacent to the settlement boundary of Downton as established in the Core Strategy.**

**Residential development elsewhere in the Plan area will be resisted.**

*Insert new supporting text in Section 9.2 of the Plan to read:*

*'There is a risk that new housing in the Downton Parish Neighbourhood Plan Area would lead to impacts on the New Forest Special Protection Area as a result of increased recreational disturbance on ground nesting birds. Wiltshire Council is committed to preparing a New Forest Mitigation Strategy to deliver measures to offset the impacts. However, until the strategy is complete, the Neighbourhood Plan notes developers must comply with CP 50 of the Core Strategy by providing bespoke measures to demonstrate their proposals would have no adverse effect on the SPA'.*

*'The capacity of Downton to accept new housing development is currently constrained by the Regulations that protect the River Avon SAC. Sewage discharges from the sewage works into the river are contributing to elevated phosphates which are causing the river to fail its conservation targets. Until a mechanism is agreed between Wiltshire Council, Natural England and the Environment Agency to bring down phosphate levels, the maximum number of houses that can be permitted post 2006 is 190 i.e. the number allocated in the Core Strategy. Development in excess of this cannot be lawfully permitted unless a bespoke method for offsetting increased phosphate can be agreed between the developer and Wiltshire Council or the Council judges the effects of development to be insignificant'.*

*Insert new text on p.33 under the heading Environmental considerations:*

*The River Avon which the village straddles is a Special Area of Conservation and this may constrain development that could cause direct or indirect impacts. Likewise, new development which could lead to recreational pressure on the New Forest Special Protection Area will need to offer appropriate mitigation".*

#### **Recommended modification to policy LH4:**

**The delivery of new homes within the Plan period will be monitored.**

**In the event that the development of new homes through existing commitments will not achieve the strategic figure of 190 dwellings consideration will then be given for the development of the SHLAA sites shown in figure 10 and in the order identified in table (provided number to the table) of the Plan. Planning applications for SHLAA sites identified in table (insert number) that come forward out of identified sequence order will be considered on their individual merits and given the position of housing land supply at that time**

#### **Recommended modification to policy LH5**

**Subject to the provisions of policy (LH1) planning applications for new residential development will be required to include a mix of dwelling types to meet the identified needs of the local community as set out in the Housing Needs Survey 2014. Planning applications will also be required to demonstrate how they would deliver starter and smaller homes and affordable homes for rent or shared ownership.**

#### **Recommended modification to policy LH6**

## Delete policy

*Modify associated supporting text as set out in Appendix 2 of this report*

### *Transport Policies*

#### *T1*

- 7.39 This policy indicates that development that would give rise to unacceptable traffic will not be permitted. There is a clear relationship between the policy and the supporting text in Section 9.3 of the Plan that refers to parking issues and the impact of through traffic on the A338.
- 7.40 The policy is a combination of both positive and negative elements. Its clarity would be improved, and would accord with the NPPF, if it was recast in a consistent and positive fashion.

#### **Recommended modification:**

**Development proposals will be required to demonstrate that they can be incorporated in a satisfactory way into the capacity of the local highway network. Planning applications will be expected to identify and assess the impact of the proposed development on pedestrians, cyclists, road safety and the free and safe flow of traffic in the plan area. Where appropriate measures should be included in proposals to mitigate the impacts arising from the development proposed.**

#### *T2*

- 7.41 This policy provides support for proposals to improve accessibility to the Downton Primary School and to Trafalgar School. Such an approach is entirely appropriate.
- 7.42 Neither the policy nor the supporting text is clear on the type of proposals envisaged by this policy. Some may not need planning permission and others may be entirely highway related issues. On this basis, and to provide the clarity required by the NPPF I recommend a modification to the policy to address these points.

#### **Recommended modification:**

**Insofar as planning permission is required proposals to improve pedestrian, cycle and vehicular access to the Downton Primary School and to Trafalgar Secondary School will be supported.**

#### *T3/T4/T5/T6*

- 7.43 These policies address the delivery of a sustainable transport strategy (T3), solutions to parking constraints in High Street/Lode Hill (T4), the improvement of footpath and cycle routes (T5) and effective road signage (T6). Plainly these are important issues for the future of the neighbourhood area. However, they are traffic rather than land use planning issues. On this basis I recommend that they are deleted as policies and are included in the schedule of transport proposals (as TP6 to TP9)

## Delete T3/T4/T5/T6

*Insert the four components as Transport Proposals 6-9*

*Drainage, Sewerage System, Groundwater and Surface Water Drainage Policies*

TD1/2

- 7.44 These policies set out to address the well-documented groundwater and water drainage issues in the Plan area and which relate to its geographical and topographical nature. TD1 sets out requirements for planning applications on this matter. TD2 sets out how certain types of applications will be determined on this topic area.
- 7.45 These two aspects of policy are distinctive to the Plan area. However, they do not provide the type of clarity required by the NPPF. On this basis I recommend that they are merged to form one single policy. That policy would set out the community's expectations for the detail to be addressed in planning applications and how development proposals will be assessed.
- 7.46 As included in the submitted plan TD1 requires that all applications are required to be accompanied by technical details. This approach is unreasonable for the range of householder and minor planning applications that will be received within the plan period. In many cases there will be little or no effect on drainage in the area as a result of those applications. On this basis I have also recommended in the modifications that the new single policy does not apply to these types of proposals.

### **Recommended modification**

#### **Merge TD1 and TD2 to read:**

**All applications for development (other than for minor extensions and changes of use of existing buildings) will be required to take account of the groundwater levels and surface water flows in the Plan area. Where appropriate flood risk assessments will be required to be submitted with planning applications.**

**Planning applications that demonstrably add to existing foul and surface water conditions within the plan area or which do not provide acceptable mitigation will be resisted.**

The Village Economy

LE1

- 7.47 This policy indicates that optimal use of the existing business park will be encouraged to maximise employment. This is an ambition that all concerned will share. However, it is a non-land use proposal rather than a policy. In the majority of cases the planning process would have no impact on the occupation or otherwise of commercial units, their re-occupation by other uses or the employment levels of individual businesses.



## Delete the policy

*Reinstate its contents as a Local Economy Proposal*

### LE2

- 7.48 This policy provides a positive context for new retail units within the Plan area and for the expansion of existing retail facilities. It is supported by helpful commentary in the supporting text.
- 7.49 The policy in the submission plan has insufficient clarity on three counts. In the first instance it requires an applicant to provide the parish council with evidence of the need for such a facility. This requirement is both unrealistic and burdensome. An applicant will come to his or her own commercial judgement on the viability and profitability of any proposal. In any event a commercial need is rarely a material planning consideration. In the second instance the policy as drafted includes no amenity checks and balances and which would be required for it to be in general conformity with the strategic elements of the development plan. In the third instance it provides no checks and balances on the scale or purpose of the new retail units to be supported. Large scale retail units within the plan area and serving a wider catchment area would be contrary to both national and local planning policies. Taking these three factors into account I recommend the following modifications to the policy:

**Planning applications for the development of new or extended retail facilities to serve local needs within the Plan area will be supported where they have no unacceptable negative impacts on the residential amenity of the locality concerned or the safe and free flow of traffic on the highway network.**

### LE3

- 7.50 This policy provides a positive context for the development of tourism and leisure facilities in the Plan area. It is supported by helpful commentary in the supporting text and which includes feedback from the community survey.
- 7.51 This policy has issues on its clarity which overlap with those set out for LE2 above. In this case they are issues relating to the scale of development and residential amenities. Taking these factors into account and to ensure that the policy meets the basic conditions I recommend the following modification:

**Planning applications that propose the development of new tourism and leisure facilities of a scale appropriate within the Plan area will be supported where they have no unacceptable negative impacts on the residential amenity of the locality concerned or the safe and free flow of traffic on the highway network.**

### Other related matters

- 7.52 I address the non-land uses proposals later in this report. However, at this point it is appropriate that I comment on Proposal LEP1. In the submitted plan this proposal

offers support for new developments and the refurbishment of existing units on the business park subject to certain criteria. This proposal is a land use policy and should properly be included in the main body of the Plan. On this basis I recommend that LEP1 becomes Policy LE1

Insert new policy to read:

**Insofar as planning permission is required proposals for new commercial units and for the refurbishment of existing units on the Downton Business Park will be supported provided that they are in scale and in character with the immediate locality and would have no unacceptable impacts on the free and safe flow of traffic on the highway network in general and on the A338 in particular.**

The Rural Economy

RE1

- 7.53 This policy provides support to proposals that will ensure the continued well-being of the rural economy whilst safeguarding its rural nature.
- 7.54 This policy is entirely appropriate for the Plan area. For clarity the policy would meet the basic conditions if its reference was to planning applications rather than to activities. This would provide clear advice to developers and decision makers on the context within which applications would be determined. On this basis I recommend the following modification:

**Replace ‘activities’ with ‘planning applications’**

*Community Facilities and Services*

- 7.55 It is clear that this section of the Plan is of particular significance to the local community. The submitted plan includes a wide range of policies and proposals. I have addressed the proposals later in this part of the report alongside other such proposals. However, the interplay between policies and proposals in this section is complex, and I have recommended a series of recommendations to ensure clarity and therefore that the Plan meets the basic conditions.

CF1

- 7.56 This policy addresses the admissions policy for the Downton schools meeting the needs of children up to 11 years old. This is a proposal rather than a policy and I recommend accordingly

**Delete policy**

*Insert the equivalent wording as an additional proposal in section CFP (CPF5)*

CF2

- 7.57 This policy sets out appropriate expectations for community facilities. It overlaps with the content of proposal CFP1 and which provides support for the expansion of schools and other educational facilities. On this basis and to give clarity and direction both to investors and decision-makers I recommend that the policy and the proposal be merged. This modification is set out below.

**Proposals for the expansion or modification of schools, pre-school facilities and day nurseries will be supported in circumstances where they are appropriate in scale, design and massing and where they would have no unacceptable negative impacts on the residential amenity of the locality concerned or the safe and free flow of traffic on the highway network. Any expansion of premises will be expected to provide appropriate play areas, adequate car parking facilities and, where necessary, safe drop off zones.**

- 7.58 WC has made representations about the longer-term ability of the existing primary school site to accommodate further growth. This is an important factual update and it provides a context to the implementation of Policy CF2 throughout the Plan period. I recommend the insertion of additional supporting text accordingly

*Insert an additional sentence at the end of the fourth paragraph of text on page 61:  
'The Planning consent which has been granted for the two storey classroom extension at Downton CE VA Primary School will provide 60 additional places and after this time the site will be at capacity and will not be able to be expanded further'.*

CF3

- 7.59 This policy requires that adequate medical services to meet the needs of the residents must be provided. This is for other bodies to address and is beyond the planning process. This is a proposal rather than a policy and I recommend accordingly.

**Delete policy**

*Insert the equivalent wording as an additional proposal in section CFP*

*Leisure Facilities*

LFP1

- 7.60 This policy supports the provision of leisure facilities in the Plan area. It is underpinned by helpful supporting text. As drafted in the submitted Plan the policy refers to the availability of leisure facilities. In order for the policy to read as a land use policy it will need to be modified so that it provides support for new and/or redesigned/extended facilities. In addition, some elements of the submitted policy are supporting text already captured in the associated text section. I recommend that the policy is modified to read as follows:

**Proposals that would result in the creation of new leisure facilities and/or the redesign or extension of existing leisure facilities will be supported provided that they comply with other policies in the neighbourhood plan and the wider development plan.**

- 7.61 The policy/proposals numbering format used elsewhere in the Plan has not continued to this section. As a result, there are two LFP1 elements within the Plan – a LFP1 Policy (as detailed above) and a LFP1 Proposal. This will be potentially very confusing. To avoid this situation, I recommend the following modification:

*Retitle Policy LFP 1 to read LF1*

#### Non Land Use Proposals

- 7.62 The submitted Plan has fully embraced the guidance in the PPG that such plans will raise a degree of interest and awareness of a range of land use and non-land use issues. This guidance recommends that non-land use policies are captured in a separate part of any neighbourhood plan.
- 7.63 The Plan has set out a comprehensive range of non-land use proposals in each of the topic chapters. Whilst these proposals are not in a separate part of the Plan I am satisfied that they are presented in a fashion that distinguishes them from the Plan's policies. This approach is all the more appropriate given the high degree of overlap between the policies and the proposals.
- 7.64 I make an assessment of the range of policies on a topic by topic basis. Whilst they are not capable of being directly assessed against the basic conditions I make any necessary commentary where the proposals overlap with or impinge on the various policies (either as submitted or recommended for modification).

#### Facilitating and Funding the Plan

FFP1 The approach taken is entirely appropriate. In order to correspond to the language used in the legislation I recommend as follows:

*Replace '... of the Plan's acceptance' with 'of the making of the Plan'.*

#### Housing Development

LHP1 This is entirely appropriate

LHP2 It is entirely appropriate for the Plan to set out this aspiration. Plainly Wiltshire Council will take advice from its own highways officers in determining such proposals.

#### Transport

TP1/2/3/5 These initiatives are appropriate given the scale, nature and location of the Plan area.

TP4 The approach taken in this proposal is one of cross-authority collaboration on the matter of the HGV weight limit in a wider area and including the B 3078 running

through Downton. This proposal would have the required clarity if it included the Police as the authority which enforces the weight limit and the road within the Plan area. I recommend the following modification to the proposal on this basis

*‘The Downton Society and the Parish Council will continue to work with the Wiltshire and Hampshire Councils, the New Forest National Park Authority, Highways England and the Police to discuss issues, proposals and monitoring of the area wide weight limit in general, and on the B3078 through Downton in particular’.*

For completeness at this point of the report I have recommended in paragraph 7. 43 that certain transport policies become transport proposals.

#### Drainage and Surface Water

TDP1 The approach adopted is generally appropriate. I recommend that the proposal would provide the clarity required by national policy if it started as follows:

*In assessing applications for housing development and providing comments to Wiltshire Council the Parish Council will expect to see detailed proposals indicating that all drainage systems....*

TDP2/3 Both of these proposals require other bodies to produce strategies/plans. Neither of the bodies has made comments on these policies. As such it is appropriate that they should remain in the Plan. They overlap with the associated policy.

#### Local Economy

The package of proposals is entirely appropriate. The Parish Council has a major role to play in promoting business growth and liaison with commercial organisations.

#### Rural Economy

There are strong similarities with the approach on the local economy. Lobbying work on both Broadband and the maintenance of rural roads is entirely appropriate for the Parish Council.

#### Community Facilities

The range of proposals in this section reflects the issues identified in the community survey. They overlap with and add value to the submitted/modified policies.

#### Leisure Facilities Proposals

The range of proposals is extensive. The proposals represent the activities of a strong and vibrant parish council. Proposals LFP3 (quality/availability of premises) and LFP4 (improvement of the Memorial Hall) will be particularly appropriate throughout the Plan period.

## **8 Summary and Conclusions**

### *Summary*

- 8.1 The DPNP sets out a wide range of policies to guide and direct development proposals in the period up to 2026. It is thorough and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination I have concluded that the Downton Parish Neighbourhood Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

### *Conclusion*

- 8.4 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 Downton Neighbourhood Plan should proceed to referendum.

### *Referendum Area*

- 8.5 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 and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Wiltshire Council on 6 August 2014.

8.6 I would like to record my thanks to all who have assisted me in a variety of ways in the examination of the Plan and to officers at Wiltshire Council in particular.

**Andrew Ashcroft**  
**Independent Examiner**  
**23 June 2016**

## Appendix 1

### Schedule of Policies and Proposals in the submitted Plan and as a result of the recommended modifications

Policy/ <a href="#">Proposal</a> number in submitted plan	Policy/ <a href="#">Proposal</a> number in the Plan with recommended modifications
FF1	FF1
LC1	LC1
LC2	LC2
LC3	LC3
LC4	LC4
LC5	LC5
LC6	LC6
LC7	<a href="#">LCP1</a>
LH1	LH1
LH2	LH1
LH3	LH1
LH4	LH2

LH5	LH3
LH6	Deleted
T1	T1
T2	T2
T3	TP6
T4	TP7
T5	TP8
T6	TP9
TD1	TD1
TD2	TD2
LE1	LEP5
LE2	LE2
LE3	LE3
RE1	RE1
CF1	CFP5
CF2	CF2
CF3	CFP6
FFP1	FFP1
LHP1	LHP1
TP1	TP1
TP2	TP2
TP3	TP3
TP4	TP4
TP5	TP5
TDP1	TDP1
TDP2	TDP2



TDP3	TDP3
LEP1	LE1
LEP2	LEP2
REP1	REP1
REP2	REP2
REP3	REP3
CFP1	CF2
CFP2	CFP2
CFP3	CFP3
CFP4	CFP4
LFP1	LFP1
LFP2	LFP2
LFP3	LFP3
LFP4	LFP4

Note:

Policies indicated in black text

Proposals indicated in blue text

## **Appendix 2**

### **Recommended modifications to supporting text in Section 9.2**

#### Introduction

This appendix sets out recommended modifications to the supporting text in Section 9.2 of the DPNP.

The need to recommend modifications to this section of the Plan relates to my recommended modifications to policies LH1 to LH6 as included in the submitted DPNP. This appendix should be read in association with paragraphs 7.28 to 7.38 of the main report on the independent examination of the Plan.

In accordance with the protocol adopted elsewhere in this report any recommended changes to the supporting text are highlighted in italic text. This appendix includes three principal types of recommended modifications as follows:

- The deletion of text included in the submitted Plan; and
- The modification of text included in the submitted Plan; and
- The insertion of new text to explain and support the recommended modifications to the policies.

To assist in the interpretation of this appendix I have referred to the (unnumbered) paragraphs on the relevant pages in the DPNP.

#### *Recommended modifications*

*Replace para 5 on page 28/29 with the following text as a factual update*

*'The Parish has a public permanent Gypsy and Traveller site at Lode Hill. This currently has provision for 12 pitches. The site is currently undergoing a complete refurbishment with an*

*expected completion date of June/July 2016. A Gypsy and Traveller Assessment has been published and in broad terms this identifies the need for additional pitches and suggests (following consultation) that these should be provided on smaller private sites rather than larger private or public sites. This assessment will form a part of the Gypsy and Traveller Development Plan Document, due to be consulted on in 2016. The Neighbourhood Plan recognises it should accommodate the needs of the Gypsy and Traveller Community, but further details will not be known before publication of the DPD'.*

*P.29 First full paragraph.*

*Delete '....and we .....built.*

*Include new sentence at this point as follows: 'Several homes have already been built and others have the benefit of planning permission.'*

*P. 30*

*First full paragraph*

*Delete*

*Second paragraph*

*Delete*

*P.31/32/33*

*All paragraphs*

*Delete*

*Introduce new text after the end of the first retained paragraph on p.30*

*The site preferences have taken account of a range of locational, environmental and traffic considerations. For consistency of approach with the emerging Wiltshire Housing Site Allocations Development Plan Document SHLAA sites S108, S82 (both north and south) and S1044 have been discounted. In addition, site S200A is also discounted as planning permission has been granted for its development for housing purposes. The following table sets out the outcome of this analysis*

*(Insert a revised version of the table on p.31 of the submitted plan excluding the sites listed above at this point)*

*At the time of the submission of the Plan the community has a high degree of reassurance that the residual strategic housing development in the adopted Core Strategy will be achieved either through existing commitments or by way of the development of the type of sites included within Policy (LH1) of this Plan. Nevertheless, Policy(LH2) of the Plan sets out the basis on which additional land may be required for residential development within the Plan period if the existing permissions and commitments are unlikely to deliver the number of dwellings expected. The policy indicates that development will be granted planning permission in the order identified in table (insert number)*

*The policy also identifies that planning permission for these sites will not necessarily be automatic. The Plan needs to be read as a whole in conjunction with the wider development plan. On this basis there will be a variety of environmental and traffic generation issues to be addressed by each and every planning application. This may result in the order of any additional residential development being different from that set out in table (insert number). In this eventuality those planning applications will be considered on their merits taking into account the range of environmental considerations in the Plan area and the housing supply position at that time.*