

Wiltshire Council

**Aldbourne  
Neighbourhood Development  
Plan  
2021-2036**

**Independent Examiner's Report**

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20 December 2022

## Contents

	<b>Summary</b>	<b>3</b>
<b>1.0</b>	<b>Introduction</b>	<b>4</b>
<b>2.0</b>	<b>The role of the independent examiner</b>	<b>4</b>
<b>3.0</b>	<b>The examination process</b>	<b>6</b>
<b>4.0</b>	<b>Neighbourhood plan preparation</b>	<b>7</b>
<b>5.0</b>	<b>Compliance with matters other than the basic conditions</b>	<b>8</b>
<b>6.0</b>	<b>The basic conditions</b>	<b>9</b>
	<i>National policy and advice</i>	9
	<i>Sustainable development</i>	10
	<i>The development plan</i>	11
	<i>Retained European Union (EU) obligations</i>	13
	<i>European Convention on Human Rights (ECHR)</i>	16
<b>7.0</b>	<b>Detailed comments on the Plan and its policies</b>	<b>16</b>
	1 Introduction and Background	16
	2 Introduction to Aldbourne	17
	3 Vision and Objectives	17
	4 Approach to Development	18
	5 Policies	19
	- Climate Change (Policies 1 – 4)	19
	- Reducing Flood Risk (Policies 5 – 7)	21
	- High Quality Design (Policies 8 & 9)	21
	- Heritage (Policies 10 – 12)	23
	- Community Engagement (Policy 13)	25
	- New Housing (Policies 14 & 15)	25
	- Landscape and Views, Biodiversity and Green Spaces (Policies 16 – 21)	26
	- Community Facilities (Policy 22)	31
	- Employment (Policies 23 & 24)	32
	- Parking (Policies 25 & 26)	33
	- Site Allocation (Policy 27)	33
	6 Priorities and Projects	38
	Appendices	39
	Community Character and Design Statement	39
<b>8.0</b>	<b>Conclusions and recommendations</b>	<b>40</b>
	<b>Appendix 1 List of key documents</b>	<b>41</b>
	<b>Appendix 2 Questions of clarification</b>	<b>43</b>

## Summary

I have been appointed as the independent examiner of the Aldbourne Neighbourhood Development Plan.

Aldbourn village is located around 10km north east of Marlborough and around 13km south east of Swindon. The whole of the Parish of Aldbourn lies within the North Wessex Downs Area of Outstanding Natural Beauty. Its settlements consist of Aldbourn, which is a large village and a number of small hamlets. These are surrounded by farmland, with several active farms operating in the Parish.

With a rich history, part of the village is a designated Conservation Area and there are many listed buildings and other features of historic interest. The village lies in the junction of five dry valleys with the Bourne flowing through the centre of the village. The community supports a range of businesses and has a primary school. It has a population of around 1864 according to 2017 figures.

The Plan is presented in two parts; Part A is titled the submission plan and Plan B is the Community Character and Design Statement. Both parts are presented to an exceptionally high standard. There is an eye catching front cover. The Plan contains 27 policies covering various issues including a site allocation, Local Green Spaces and non-designated heritage assets. The Plan is supported by a comprehensive set of evidence documents.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national planning policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Wiltshire Council that the Aldbourn Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI  
Ann Skippers Planning  
20 December 2022



## 1.0 Introduction

This is the report of the independent examiner into the Aldbourne Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Wiltshire Council (WC) with the agreement of the Parish Council to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and professional experience to carry out this independent examination.

## 2.0 The role of the independent examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions<sup>1</sup> are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations<sup>2</sup>
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

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<sup>1</sup> Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

<sup>2</sup> Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.<sup>3</sup> It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check<sup>4</sup> whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.<sup>5</sup>

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case WC. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

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<sup>3</sup> Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

<sup>4</sup> Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

<sup>5</sup> The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

### 3.0 The examination process

I have set out my remit in the previous section. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).<sup>6</sup>

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.<sup>7</sup> Often representations suggest amendments to policies or different or new site allocations. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.<sup>8</sup>

Some representations make comments about the process, particularly in relation to the site selection process. An examiner has no authority to deal with allegations of misconduct or similar. Such allegations should be dealt with through other procedures.

PPG<sup>9</sup> explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.<sup>10</sup>

I sought clarification on a number of matters from the Parish Council and WC in writing on 28 November 2022 and my list of questions is attached to this report as Appendix 2. I am grateful to both Councils who have provided me with comprehensive answers to my questions. These responses received (all publicly available) together with consideration of all the documentation and the representations made, have enabled me to examine the Plan without the need for a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council submitted comments and I have taken these into account.

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<sup>6</sup> PPG para 055 ref id 41-055-20180222

<sup>7</sup> Ibid

<sup>8</sup> Ibid para 040 ref id 41-040-20160211

<sup>9</sup> Ibid para 056 ref id 41-056-20180222

<sup>10</sup> Ibid

I note that the Parish Council has indicated that the Plan will be updated to reflect the comments made by WC in their representation. On occasion I have recommended a modification that will cover the same or similar point but otherwise these will be matters to agree between the Parish Council and WC. This is because some of the issues raised I see as minor editing matters and others will not have a bearing on the basic conditions.

I am very grateful to everyone for ensuring that the examination has run smoothly and in particular Mike Kilmister at WC.

I made an unaccompanied site visit to familiarise myself with the Plan area on 28 October 2022.

Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

As a result of some modifications consequential amendments may be required. These can include new policy numbers, changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

I regard these as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

## 4.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

A Steering Group was established in 2016 and comprises both Parish Councillors and residents.

The Parish Council's website and Facebook page have been used to keep residents informed about progress and events. The bi-monthly Parish newsletter, the Dabchick, hand delivered to every household in Aldbourne village includes a Plan item in every issue. Regular reports at monthly Parish Council meetings take place with published minutes.

A number of events were held during the Plan's preparation. A useful table in the Consultation Statement summarises this activity which took the form of both general and specific consultations as well as a survey in early 2018 and a Housing Needs Survey in late 2018. The local primary school was also involved. Targeted engagement with

local landowners was also undertaken on the proposed Local Green Spaces and a 'call for sites' as well as with local businesses.

Preparation of the Plan partly took place during the Covid 19 pandemic. Face to face events could not take place due to Covid 19 restrictions, but online engagement continued.

Pre-submission (Regulation 14) consultation took place between 20 September – 15 November 2021. This was publicised through posters, information on the Plan website and Parish Council website, Facebook, a letter to every home in the village and the Dabchick magazine. An Open Day and an Open Meeting were held during this consultation period.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 11 July – 22 August 2022.

The Regulation 16 stage resulted in 32 representations. I have considered all of the representations and taken them into account in preparing my report.

## **5.0 Compliance with matters other than the basic conditions**

I now check the various matters set out in section 2.0 of this report.

### **Qualifying body**

Aldbourne Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

### **Plan area**

The Plan area is coterminous with the administrative boundary for the Parish. WC approved the designation of the area on 8 August 2016. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 6 of the Plan.

### **Plan period**

The Plan period is 2021 – 2036. This is clearly stated on the front cover of the Plan. This requirement is satisfactorily met.



## **Excluded development**

The Plan does not include policies that relate to any of the categories of excluded development. This is also helpfully confirmed in the Basic Conditions Statement. The Plan therefore meets this requirement.

## **Development and use of land**

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.<sup>11</sup>

## **6.0 The basic conditions**

### **Regard to national policy and advice**

The Government revised the National Planning Policy Framework (NPPF) on 20 July 2021. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development outside of these strategic policies.<sup>12</sup>

Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.<sup>13</sup> They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.<sup>14</sup>

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<sup>11</sup> PPG para 004 ref id 41-004-20190509

<sup>12</sup> NPPF para 13

<sup>13</sup> Ibid para 28

<sup>14</sup> Ibid

The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.<sup>15</sup>

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.<sup>16</sup> Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.<sup>17</sup>

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at [www.gov.uk/government/collections/planning-practice-guidance](http://www.gov.uk/government/collections/planning-practice-guidance) which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report. PPG indicates that a policy should be clear and unambiguous<sup>18</sup> to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.<sup>19</sup>

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.<sup>20</sup> It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.<sup>21</sup>

Whilst this has formed part of my own assessment, the Basic Conditions Statement includes a table which sets out how the Plan's policies respond to the NPPF.

### **Contribute to the achievement of sustainable development**

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.<sup>22</sup> This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of

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<sup>15</sup> NPPF para 29

<sup>16</sup> Ibid para 31

<sup>17</sup> Ibid para 16

<sup>18</sup> PPG para 041 ref id 41-041-20140306

<sup>19</sup> Ibid

<sup>20</sup> Ibid para 040 ref id 41-040-20160211

<sup>21</sup> Ibid

<sup>22</sup> NPPF para 7

the different objectives.<sup>23</sup> The three overarching objectives are:<sup>24</sup>

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.<sup>25</sup>

Whilst this has formed part of my own assessment, the Basic Conditions Statement offers a short commentary on how the Plan helps to achieve sustainable development.

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

The development plan relevant to this examination consists of a number of different documents;

- the Wiltshire Housing Site Allocations Plan (WHSAP) adopted on 25 February 2020
- the Wiltshire Core Strategy Development Plan Document (WCS) adopted on 20 January 2015
- the saved policies of the Kennet Local Plan (KLP) adopted in 2011 and as identified in Appendix D of the WCS

I could not see any policies of a strategic nature in the KLP and none have been drawn to my attention in the Basic Conditions Statement. WC helpfully confirmed their view that there are no policies of a strategic nature in it for an earlier examination that I carried out for WC. I will therefore focus on the CS and the WHSAP.

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<sup>23</sup> NPPF para 8

<sup>24</sup> Ibid

<sup>25</sup> Ibid para 9

The WCS provides a framework for Wiltshire up to 2026. Its spatial vision is based around stronger, more resilient communities based on a sustainable pattern of development and it identifies six strategic objectives to help to achieve this. It is an economic-led strategy. It identifies 20 Community Areas and the Parish falls within the Marlborough Community Area.

Core Policy 1 of the WCS sets out a settlement strategy identifying five types of settlements based on their role and function and how they relate to their immediate communities and wider hinterland.

Core Policy 2 sets out the delivery strategy; development is not permitted outside the limits of development unless it is for development which meets one of the exception policies in the WCS for employment land, military establishments, tourism, rural exception sites, specialist accommodation or supports rural life. The limits of development can only be altered through Site Allocations Development Plan Documents or neighbourhood plans.

The Marlborough Community Area lies entirely within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The WCS is clear that all development within the Community Area will need to conserve the AONB and its setting and where possible enhance its locally distinctiveness characteristics.

Aldbourn is identified as a 'Large Village' in Core Policy 14 which sets out the strategy for the Marlborough Community Area. Large Villages are defined as settlements with a limited range of employment, services and facilities. Development at Large Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

Around 240 houses are to be provided in the rest of the Community Area with the majority of the 920 identified located in Marlborough.

The housing requirements for the WCS plan period to 2026 have been met. However, the overall housing requirement figure in the WCS is a minimum and the area strategy figures indicative. The WCS is clear that Plans should not be constrained by the housing requirements in the WCS and that additional growth may be appropriate and consistent with the settlement strategy. The tenor of the WCS is to enable community-led proposals to come forward. In addition, this Plan's time period extends beyond 2026 to 2036.

The purpose of the WHSAP is to support the delivery of new housing set out in the WCS through the revision, where necessary, of settlement boundaries and site allocations. The WHSAP does not propose any allocations within the Plan area.

Whilst this has formed part of my own assessment, the Basic Conditions Statement lists how the Plan relates to relevant WCS policies.

## ***Emerging planning policy – the Wiltshire Local Plan Review 2016 - 2036***

In Autumn 2017, WC began a review of their Local Plan, working jointly with Swindon Borough Council. In WC's case this includes a review of the WCS. The latest position is that a consultation was held at the beginning of 2021 on key components for the review. A report on the consultation was produced and next steps discussed at Cabinet on 29 June 2021. A full consultation report has now been produced following that meeting.

There is no legal requirement to examine the Plan against emerging policy. However, PPG<sup>26</sup> advises that the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which the Plan is tested.

Furthermore qualifying bodies and local planning authorities should aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan with appropriate regard to national policy and guidance.<sup>27</sup> This proactive and positive approach is important to ensure that any conflicts are minimised because the law requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.<sup>28</sup> Timing can therefore be critical.

### **Retained European Union Obligations**

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG<sup>29</sup> confirms that it is the responsibility of the local planning authority, in this case WC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It is WC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

### ***Strategic Environmental Assessment***

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to

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<sup>26</sup> PPG para 009 ref id 41-009-20190509

<sup>27</sup> Ibid

<sup>28</sup> Ibid which in turn refers to section 38(5) of the Planning and Compulsory Purchase Act 2004

<sup>29</sup> Ibid para 031 ref id 11-031-20150209

provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

An Environmental Report (ER) dated September 2021 and prepared by AECOM has been submitted as a screening assessment of November 2020, and carried out by WC, indicated a SEA was needed. This includes the Scoping Report (dated April 2021) which was prepared by AECOM.

An Addendum to the Environmental Report Dated June 2022 and carried out by AECOM has been submitted. This updated the ER after the pre-submission stage and assesses changes made to the Plan after that consultation stage including the deletion of a proposed site allocation.

The ER concluded that potential significant effects arising from plan implementation are both positive and negative. The SEA suggested three recommendations for policy wording to be included in the Plan which have either been superseded or implemented. The Addendum did not identify any further work that would be needed or make any further recommendations.

The ER and Addendum were published for consultation alongside the submission version of the Plan.

The ER is a comprehensive document that has dealt with the issues appropriately, including the consideration of reasonable alternatives, for the content and level of detail in the Plan. This in line with PPG advice which confirms the SEA does not have to be done in any more detail or using more resources than is considered to be appropriate for the content and level of detail in the Plan.<sup>30</sup> In my view, it has been prepared in accordance with Regulation 12 of the Regulations.

Therefore EU obligations in respect of SEA have been satisfied.

### ***Habitats Regulations Assessment***

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan

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<sup>30</sup> PPG para 030 ref id 11-030-20150209

for that European Site, in view of the Site's conservation objectives, must be carried out.

A Revised HRA Screening Opinion dated July 2022 and carried out by WC, based on the submission version of the Plan, has been submitted. This concludes that appropriate assessment is not needed.

The proposed site allocation at Lottage Farm, and the Plan area, lies within the Thames Water Swindon and Oxfordshire Water Resource Zone. There is therefore potential for a pathway to exist for effects on the River Kennet upstream of the Kennet and Lambourn Floodplain Special Area of Conservation. However, Thames Water has confirmed that the Water Resources Management Plan 2019, subject to an updated HRA, alongside current water and groundwater abstraction licenses include additional headroom for growth in the area and there is sufficient capacity for the growth as proposed in the Plan. The Environment Agency has also confirmed this position.

The Screening Opinion concludes "...the Aldbourne NDP dated June 2022 would have no likely significant effects upon any European sites alone or in combination and no appropriate assessment is currently required."

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the nature and characteristics of the relevant SAC and pathways and the information presented in the Screening Opinion and the nature and contents of this Plan, I have no reason to disagree with the conclusion of the Screening Opinion. I accordingly consider that the prescribed basic condition is complied with, namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

### ***Conclusion on retained EU obligations***

National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.<sup>31</sup> In undertaking work on SEA and HRA, WC has considered the compatibility of the Plan in regard to retained EU obligations including with the Water Framework Directive, and does not raise any concerns in this regard.

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<sup>31</sup> PPG para 031 ref id 11-031-20150209

## European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a short statement in relation to human rights. Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

## 7.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text** and where I suggest specific changes to the wording of the policies or new wording these appear in **bold italics**.

The Plan is presented in two parts; Part A is titled the submission plan and Plan B is the Community Character and Design Statement. Both parts are presented to an exceptionally high standard. There is an eye catching front cover. The Plan begins with a foreword and a helpful contents page. It contains 27 policies.

### Section 1 Introduction and Background

This is a helpful introduction to the Plan.

A modification is made to remove any potential confusion about the reference to the Core Strategy and Local Plan and the same modification will deal with the reference to the basic conditions. Others are made to correct a footnote reference and the date of the Plan area designation.

I note that this section will also need some natural updating as the Plan progresses towards referendum.

- **Amend the second sentence of the second paragraph in sub section 1.1 to read:**

***“The plan must *have regard to* the government’s National Planning Policy Framework 2021 (NPPF), as well as *be in general conformity with* the Wiltshire Core Strategy *and* must also satisfy *a number of other* basic conditions.”***

- **Change footnote 2 on page 5 of the Plan to *“Planning and Compulsory Purchase Act...”***
- **Change the date in sub section 1.3 to *“8<sup>th</sup> August 2016”***



## Section 2 Introduction to Aldbourne

This section provides an informative description of the Plan area as it has developed historically and sets out helpful contextual information, particularly referring to climate change and the Covid 19 pandemic.

There are some modifications in the interests of clarity, accuracy and completeness.

- **Remove the “2019” at the end of the first sentence in sub section 2.4**
- **Amend the fourth paragraph in sub section 2.4 to read:**

**“As part of the Local Plan preparation, Wiltshire Council produced an ‘Empowering Rural Communities’ paper which provided suggested housing development targets for all large villages. As of *January 2021* the figure for Aldbourne *intended to be delivered over the period 2016 – 2036* is 40. This is not, however, the final figure; it may change as *work on the emerging Local Plan proceeds.*”**

- **Add a reference to the Local Transport Plan and to the saved policies of the Kennet Local Plan to this section when referring to the development plan**

## Section 3 Vision and Objectives

The vision for the Plan is:

“The Parish of Aldbourne is an ancient one within a distinctive and rural landscape. The village will see sustainable and sensitive development through the Plan period to 2036 that is responsive to the environmental, economic and social needs of our Parish and its inhabitants.

By 2036, only minimal development will have taken place, all in sympathy with existing patterns and local character, protecting the valued rural nature and community feeling and having minimum impact on the landscape setting, ecology and heritage of the Parish. New housing will have reflected the downsizing and ageing of the community and also addressed the need for affordable homes.

Our distinctive landscape setting will continue to be very important. Aldbourne will remain almost invisible as it is approached from all directions as it nestles at the confluence of five dry valleys. The surrounding chalk hills will give fine rural views across the gently rolling countryside. These important landscape features will have helped us, as a Parish, to comment on any development proposals that could have interfered with those views.

Natural features and sites will have been maintained, infrastructure changes will have had minimal impact on the rural character and both dark skies and low-impact road signage will have been retained. The chalk stream which meanders through the village will still provide a sanctuary for a great variety of wildlife and remain an important asset to our Parish. Its setting will have been protected and, in places, improved, helping to reduce flooding impacts. The many footpaths that criss-cross our Parish will also have been retained and improved by better and increased stewardship. Aldbourne will be a place where people can move around easily, especially by walking and cycling, and where a network of green spaces together with mature trees supports wildlife. All such actions contribute to addressing the challenges of climate change mitigation and adaptation.

The local economy will continue to be strong with opportunities created for small local businesses to develop and grow and more people will be working from home. The centre of the village will continue to offer a good range of shops and facilities with a distinct identity and character. Other community facilities will have been maintained at least at the current level of provision and enhanced as people join the balanced community, helping to cater for all ages and stages of life.

By 2036, this Plan will also have enabled some practical projects to be addressed, concerning several key local issues, especially traffic, safety and parking.”

The vision is detailed. It is supported by 11 objectives. All are articulated well and will help to deliver the vision.

## Section 4 Approach to Development

This short section sets out the basic premise of the Plan.

WC has asked for a clarification to be made to the first point on page 17 of the Plan and I agree this is needed.

- **Amend the first point on page 17 of the Plan to read:**

**“Aldbourne village has a formal settlement boundary as on Figure 3. That boundary is particularly important because the village sits firmly with the North Wessex Downs Area of Outstanding Natural Beauty. Development beyond the current boundary is not necessarily ruled out, but developments *would need to accord with one of Wiltshire Council’s exceptions policies unless material considerations indicate otherwise.*”**

## Section 5 Policies

### 5.1 Climate Change

The NPPF is clear that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk.<sup>32</sup> It continues that places should be shaped to reduce greenhouse gas emissions, minimise vulnerability and improve resilience and support renewable and low carbon energy and associated infrastructure.<sup>33</sup>

**Policy 1, Renewable Energy in Developments**, seeks to support renewable energy in developments, including the appropriate retrofitting of heritage assets. This supports the goals of the Wiltshire Climate Strategy.

**Policy 2, Renewable Energy Production**, supports community scale energy production for specific types of renewable energy as long as the proposals are appropriate. The NPPF indicates that community-led initiatives for renewable energy should be supported by local planning authorities including through neighbourhood planning.<sup>34</sup>

The Centre for Sustainable Energy has produced a guide to writing for low carbon neighbourhood plans entitled “Neighbourhood planning in a climate emergency”. Policies 1 and 2 reflect the good practice example policies within that document.

The NPPF encourages plans to provide a positive strategy for energy that maximises the potential for suitable development whilst ensuring that adverse impacts are satisfactorily addressed.<sup>35</sup>

I consider that both Policies 1 and 2 meet the basic conditions by having regard to the NPPF, being in general conformity with WCS Policies CP41, which supports sustainable construction and low carbon energy, and CP42 which refers to standalone renewable energy installations, especially and helping to achieve sustainable development in particular.

**Policy 3, Ultra Low Emission Vehicle Charging**, supports the provision of vehicle charging points. The NPPF encourages actively managing patterns of growth to promote sustainable transport.<sup>36</sup> Limiting the need to travel and offering a choice of transport modes can help to achieve this. However, it is also recognised that the situation may be very different in rural areas where the use of the private car is often necessary.

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<sup>32</sup> NPPF para 152

<sup>33</sup> Ibid

<sup>34</sup> Ibid para 156

<sup>35</sup> Ibid para 155

<sup>36</sup> Ibid para 105

This policy supports the provision of charging points for all types of development highlighting the impact this type of technology can have at the local level.

Two modifications are recommended to, firstly, remove a duplicated phrase and the second to ensure that such provision is located conveniently. With these modifications, the policy will meet the basic conditions by particularly having regard to the NPPF, being in general conformity with WCS Policy CP41 in particular and helping to achieve sustainable development.

**Policy 4, Sustainable Design and Construction**, encourages new development to be of sustainable design and construction, referring to water efficiency, energy efficiency and zero carbon emissions. It refers to BREEAM standards.

Whilst I appreciate the policy, especially in relation to water efficiency, contains text requested by Thames Water, and is strongly supported by the Environment Agency who want even tougher water efficiency targets, the Government introduced national technical standards for housing in 2015.

A Written Ministerial Statement (WMS)<sup>37</sup> explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.

I also note the WMS states that neighbourhood plans should not be used to apply the national technical standard. This is echoed in PPG<sup>38</sup> which also refers to water efficiency standards.<sup>39</sup>

I am mindful however that the policy could encourage sustainable design without setting standards and also applies to all new development not just housing. A modification is therefore recommended to reflect this position and ensure that the policy meets the basic conditions, particularly helping to achieve sustainable development.

The supporting text to this section may need some natural updating as the Plan progresses.

- **Delete the duplicated “will provide” from the first paragraph of Policy 3**
- **Add the word “convenient” after “...for charging vehicles in...” in the first paragraph of Policy 3**
- **Rewrite Policy 4 to read:**

***“New development, including extensions and restorations, are encouraged to include appropriate measures both through design and materials that address***

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<sup>37</sup> Written Ministerial Statement 25 March 2015

<sup>38</sup> PPG para 001 ref id 56-001-20150327

<sup>39</sup> Ibid para 013 ref id 56-013-20150327

*the climate change emergency. Proposals that are highly efficient and those which move towards zero carbon emission buildings are particularly encouraged.”*

## **5.2 Reducing Flood Risk**

Aldbourn is susceptible to river flooding, surface water flooding and groundwater flooding. It is clear that flood risk is a major concern of the local community.

**Policy 5, Reducing Flood Risk** seeks to avoid and reduce flood risk. The supporting text to the policy explains that the circumstances in the Parish highlight the need to avoid an increase in overall flood risk and to take opportunities to reduce flood risk. It includes some wording proposed by Thames Water with regard to surface water drainage. A Flooding Report has been prepared as part of the work on the neighbourhood plan. The policy includes wording recommended in the HRA Assessment.

**Policy 6, Permeable Surfaces** supports the provision of permeable surfaces to help with surface water where these are appropriate having regard to local character.

**Policy 7, Water and Wastewater Infrastructure** seeks to align off-site provision, where this is necessary, with occupancy. It reflects wording provided by Thames Water.

I consider all three policies have regard to the NPPF's stance on flood risk which is to direct development away from areas of highest risk<sup>40</sup> and wastewater. All three policies generally conform with WCS Policies CP67 and CP68 which refer to flood risk and water resources respectively. The three policies meet the basic conditions and will particularly help to achieve sustainable development.

## **5.3 High Quality Design**

Policies 8 and 9 deal with design issues. **Policy 8, High Quality Design** seeks high quality design, refers to the National Design Code and a Community Character and Design Statement, Part B of the Plan, which has been produced as part of the work on the Plan. This is a comprehensive and well-produced document that sets out 18 design principles.

**Policy 9, Design in the Conservation Area** refers specifically to the Conservation Area. As well as referring to the Community Character and Design Statement, it also references the Conservation Area Statement of June 2003 which is still largely valid today.

The NPPF states that 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.<sup>41</sup> It continues that neighbourhood plans can play an important role in

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<sup>40</sup> NPPF para 159

<sup>41</sup> Ibid para 126

identifying the special qualities of an area and explaining how this should be reflected in development.<sup>42</sup>

It refers to design guides and codes to help provide a framework for creating beautiful and distinctive places with a consistent and high quality standard of design.<sup>43</sup>

The NPPF continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place and optimise site potential.<sup>44</sup>

In addition the policies have regard to the NPPF's stance on the conservation and enhancement of the historic environment.<sup>45</sup>

WCS Policy CP57 requires a high standard of design in all developments. New development is expected to draw on its local context, be complementary to the locality and create a strong sense of place. This includes relating positively to its landscape setting, being sympathetic to historic buildings and landscapes and using a high quality of finishes.

WCS Policy CP58 protects, conserves and where possible enhances the historic environment.

In essence, both policies seek to deliver locally distinctive development of a high quality that protects, reflects and enhances local character. This is to be welcomed.

Both policies meet the basic conditions by having regard to the NPPF, being in general conformity with WCS Policies CP57 and CP58 and particularly helping to achieve sustainable development. There is one modification though in the interests of consistency.

The supporting text has a number of minor typos to correct. Of more import, is the need to add some explanatory text around Figure 4. Whilst this is referenced in Policy 9, only reference to the Conservation Area is made and it is not clear what the character areas or their purpose is.

There is also a cross reference to Policy 13 which should be changed to reflect the modifications made to Policy 13 later in this report.

- **Change the reference in Policy 8 to the “Aldbourn Design Statement” to “Aldbourn Parish Community Character and Design Statement”**
- **Add further explanation about Figure 4 to the supporting text**

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<sup>42</sup> NPPF para 127

<sup>43</sup> Ibid para 128

<sup>44</sup> Ibid para 130

<sup>45</sup> Ibid Section 16

- **Change the reference to Policy 13 on page 29 of the Plan to reflect the modification made in respect of that policy**

#### **5.4 Heritage**

This section of the Plan contains three policies.

The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.<sup>46</sup> It continues<sup>47</sup> that great weight should be given to the assets' conservation when considering the impact of development on the significance of the asset.

The NPPF distinguishes between designated heritage assets and non-designated heritage assets outlining different approaches.

The Parish is rich in heritage. It has a Conservation Area (CA) and a number of listed buildings and ancient monuments.

**Policy 10, Overall Heritage** covers listed buildings, the Conservation Area and views, landmarks, features and buildings highlighted in the Community Character and Design Statement. The supporting text refers to a Heritage Report.

In order for the policy to meet the basic conditions, having regard to the NPPF and the legislation on Conservation Areas, as well as to avoid repetition, some changes are necessary.

**Policy 11, Archaeology**, needs some modification in order for it to have regard to the NPPF. The NPPF is clear that where archaeological interest might be found, developers are required to submit an appropriate desk-based assessment and, where necessary, a field evaluation.<sup>48</sup>

**Policy 12, Locally Valued Unlisted Heritage Assets.** The NPPF<sup>49</sup> explains that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. In relation to non-designated heritage assets, the subject of this policy, the NPPF is clear that the effect of any development on its significance should be taken into account and that a balanced judgement will be needed having regard to the scale of any harm or loss and the significance of the heritage asset.<sup>50</sup>

Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes which have heritage significance, but do not meet the criteria for designated

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<sup>46</sup> NPPF para 189

<sup>47</sup> Ibid para 199

<sup>48</sup> Ibid para 194

<sup>49</sup> Ibid para 189

<sup>50</sup> Ibid para 203

heritage assets. PPG advises there are various ways that such assets can be identified including through neighbourhood planning.<sup>51</sup>

However where assets are identified, PPG advises that it is important decisions to identify them are based on sound evidence.<sup>52</sup> There should be clear and up to date information accessible to the public which includes information on the criteria used to select assets and information about their location.<sup>53</sup>

In this case, a Locally Valued Heritage Assets Report has been produced. I consider this report to be well presented with a consistent assessment of each asset and it contains sufficient detail and evidence to support the selection of the assets. It has undergone public nomination and consultation. The document does however need to be part of the Plan rather than an evidence document given that this details the importance of the heritage assets. A modification is therefore made to bring this document into the Plan as an appendix.

The non-designated heritage assets are also shown on Figure 5 on page 33 of the Plan. However, I could not see the location for 19 Muriel Foster's bench on this figure; it appears to have just been missed off in transferring the map to the Plan, but it is shown in the evidence base document.

With these modifications, all three policies will meet the basic conditions by having regard to the NPPF, adding local detail to, and being in general conformity with WCS Policies CP57 and CP58 in particular and helping to achieve sustainable development.

▪ **Reword Policy 10 to read:**

**“Development should respect the history and heritage of Aldbourne in accordance with national and local policy by:**

- **Conserving and, *where appropriate*, enhancing the *listed building or its setting or any features of special architectural or historic interest*;**
- **Conserving or enhancing the *character or appearance of the Conservation Area including having regard for its setting and context in the wider landscape. Development that would restore traditional design details and window styles or route cables and services underground and accords with other policies in the Plan, will be supported*;**
- **New developments should seek to avoid any adverse impacts on the views, landmarks, features and buildings highlighted in the Aldbourne Parish Community Character and Design Statement.”**

▪ **Reword Policy 11 to read:**

**“Development should take account of the high potential within the Plan area**

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<sup>51</sup> PPG para 040 ref id 18a-040-20190723

<sup>52</sup> Ibid

<sup>53</sup> Ibid



for discoveries of significant archaeological *interest*. *Where a site includes, or has the potential to include, archaeological interest, a proportionate desk-based assessment and, where necessary, remote sensing and a field evaluation should be submitted.*

Any potential impact upon archaeological *assets* identified by these prior investigations should be mitigated to reflect the significance of those remains; either by including provision for the preservation of in situ high value remains where *any* potential loss is not outweighed by the public benefits of the development, or by the recording any loss via archaeological excavation *and record keeping.*"

- **Append the Locally Valued Heritage Assets Report to the Plan**
- **Ensure that Figure 5 on page 33 of the Plan includes No 19 Muriel Foster's bench**

### ***5.5 Community Engagement***

There is one policy in this section, **Policy 13, Community Engagement**. It seeks to encourage early and positive community engagement in line with the stance in the NPPF which recognises that good quality pre-application discussion enables improved outcomes for the community.<sup>54</sup>

A local approach has also, commendably, been developed in the form of a Pre-application Community Involvement Protocol.

However, the policy does not deal with a development and use of land matter.

As a result, whilst I fully support the principle of the policy, I have no option but to recommend its deletion. This section can however, be placed in a separate community aspiration section if desired.

- **Delete section 5.5 including Policy 13 and its supporting text from the Plan and place in a community aspiration section if desired with appropriate changes i.e. removing the policy number and Appendix 2**

### ***5.6 New Housing***

**Policy 14, New Housing** seeks to ensure that new housing reflects the local needs of the Parish, encouraging affordable homes and smaller units for people to downsize too.

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<sup>54</sup> NPPF para 39

A Housing Needs Survey was carried out by WC in December 2018. This demonstrated a need for 17 affordable housing units comprised of 13 subsidised rented homes of mainly one bed but also some two and three bed units and four shared ownership or discounted market homes of one and two bed size. This is not a comprehensive picture, but illustrates the level of need at that time.

The NPPF is clear that the Government's objective of significantly boosting the supply of housing should be supported and that the needs of groups with specific housing requirements are addressed.<sup>55</sup> Within this context, the size, type and tenure of housing needed for different groups in the community should be addressed and reflected in planning policies.<sup>56</sup> This includes the provision of affordable housing, housing suitable for families or older people and those wishing to build their own homes.<sup>57</sup>

In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.<sup>58</sup>

WCS Policy CP45 addresses local housing need and seeks the incorporation of a range of different housing types, tenures and sizes to help create a mixed and balanced community.

**Policy 15, Working from Home** reflects how working patterns appear to have changed since the Covid 19 pandemic and supports working from home. This will help to support the local economy as well as reduce commuting. It will provide options for the local community and create a range of housing.

I consider both policies have regard to national policy and guidance, are in general conformity with WCS CP45 in particular and will help to achieve sustainable development. They both meet the basic conditions and no modifications are recommended.

### ***5.7 Landscape and Views, Biodiversity and Green Spaces***

This section has six policies.

**Policy 16, Landscape**, seeks to ensure that any new development is appropriate given the Parish's location in the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

The NPPF is clear 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.<sup>59</sup>

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<sup>55</sup> NPPF para 60

<sup>56</sup> Ibid para 62

<sup>57</sup> Ibid

<sup>58</sup> Ibid para 78

<sup>59</sup> Ibid para 176

The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas.<sup>60</sup>

The NPPF continues that the scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

When considering applications for development within AONBs, permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.<sup>61</sup>

WCS Policy CP51 refers to landscape. It requires landscape character to be conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures, especially taking account of the special qualities of the AONB, where great weight is afforded to conserving and enhancing landscapes and scenic beauty. For proposals within or affecting AONBs it requires development to show that it has taken account of the objectives, policies and actions set out in the relevant Management Plan; in this case the North Wessex Downs AONB Management Plan 2009 - 2014.

The policy refers to the AONB's visual qualities and essential characteristics. It also refers to the Community Character and Design Statement, supporting schemes which conserve and enhance local landscape character and those features identified in the Community Character and Design Statement. Lastly, it requires schemes to demonstrate landscape character has been taken into account.

The policy, with some modifications, will meet the basic conditions by having regard to the NPPF, being in general conformity with the WCS and in particular Policies CP51 and CP57, Ensuring high quality design and place shaping, and helping to achieve sustainable development.

**Policy 17, Views** identifies six views of particular significance to the local community. More detail about each view is found in the Community Character and Design Statement, including photographs, and they are shown on Figure 6 on page 39 of the Plan.

The policy seeks to ensure that the landscape and scenic beauty of the Parish is conserved. Reference is made to the six views and the policy indicates that any development impacting these views is expected to demonstrate how any adverse effects have been addressed.

In principle, the identification of important views is acceptable and the six have been identified by the local community. The area is attractive countryside and I am satisfied from what I saw on my site visit, given the character and setting of the village, those

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<sup>60</sup> NPPF para 176

<sup>61</sup> Ibid para 177

selected are appropriate. However, I consider that the policy could be more robustly worded.

With this modification, the policy will have regard to national policy and guidance in recognising the intrinsic character and beauty of the countryside and promoting and reinforcing local distinctiveness.<sup>62</sup> It will be in general conformity with, and add a local layer of detail to, strategic policies and WCS Policy CS51 in particular which recognises the need for development to respect landscape character and specifically mentions important views and visual amenity and Policy CS57 which refers to views and the importance of retaining and enhancing those into, within and out of sites. It will help to achieve sustainable development.

**Policy 18, Biodiversity** seeks to ensure that development retains features of biodiversity value. It only supports development that results in the loss or deterioration of habitats if the need for, and benefits of, that development clearly outweigh the loss. It sets out the expectation that development should deliver net gains for biodiversity. Finally, it supports an increase in tree provision in line with paragraph 131 of the NPPF.

The NPPF is clear that planning policies should contribute to and enhance the natural and local environment including through the protection and enhancement of valued landscapes and minimising impacts on biodiversity and providing net gains.<sup>63</sup>

WCS Policy CP50 seeks to protect features of nature conservation and geological value, seeks to ensure opportunities are taken to enhance biodiversity, including gains and seeks to avoid impacts on local sites. WCS Policy CP51 refers to landscape and Policy CP52 to green and blue infrastructure.

In relation to biodiversity net gain, whilst the supporting text refers to a minimum of 10%, WC consider this could be included in the policy itself for clarity. I agree and a modification is duly made.

With this modification, the policy will meet the basic conditions by having regard to the NPPF, being in general conformity with the WCS, particularly Policies CP50, CP51 and CP52 and helping to achieve sustainable development.

**Policy 19, Local Green Spaces** proposes ten areas as Local Green Space (LGS). They are shown on Figure 7 on page 41 of the Plan. The Local Green Spaces Report sets out how each space meets the criteria in the NPPF.

The NPPF explains that LGSs are green areas of particular importance to local communities.<sup>64</sup>

The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential

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<sup>62</sup> NPPF paras 127, 174

<sup>63</sup> Ibid para 174

<sup>64</sup> Ibid para 101

services.<sup>65</sup> It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.<sup>66</sup> The NPPF sets out three criteria for green spaces.<sup>67</sup> Further guidance about LGSs is given in PPG. I saw the proposed areas on my site visit.

1. Valley View is a small grassed recreation area with trees.
2. Rectory Wood and Playground is woodland, particularly valued for its wildlife, trees and as a tranquil area in which to relax.
3. Whitley Road/Stacey's House Play Area is a community garden with fruit trees, grass, a veg plot and a picnic table.
4. The Pond is central to the village providing a valued open space.
5. West Street A is a grassed open area.
6. West Street B is a grassed open area.
7. Village Green is valued for its historic and recreational connections.
8. Lottage Road/Oxford Street is a small triangular shaped space on the junction of two roads with a seat. It is valued for its trees planted by the Brownies.
9. Crooked Corner is a raised, triangular shaped space bounded to one side by a byway. It is valued historically and as an open meadow. At the time of my visit there were sheep grazing in the field.
10. Goddard Lane Playing Field is a recreational space with swings and play equipment valued for its recreational and social purposes.

In my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily. The proposed LGSs are demonstrably important to the local community, are capable of enduring beyond the Plan period, meet the criteria in paragraph 102 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given other policies in the development plan and this Plan.

Turning now to the wording of the policy, in setting out how new development might be regarded, it should have regard to, and be consistent with, the NPPF which explains the management of development in LGSs should be consistent with that in the Green Belt.<sup>68</sup> Therefore the policy needs modification to ensure that it takes account of national policy and is clear. With this modification, it will meet the basic conditions.

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<sup>65</sup> NPPF para 101

<sup>66</sup> Ibid

<sup>67</sup> Ibid para 102

<sup>68</sup> Ibid para 103

**Policy 20, Green and Blue Infrastructure**, supports green and blue infrastructure and shows many of the key features on Figure 8 on page 43 of the Plan cross-referencing this Figure in the policy.

It requires development proposals to be accompanied by a plan of green and blue infrastructure within and around the site and to show how it has been incorporated into any scheme.

The NPPF seeks to enable and support healthy lifestyles including through the provision of green infrastructure for example.<sup>69</sup> Access to a network of high quality open space and opportunities for recreation is also supported.<sup>70</sup> As part of this, the protection and enhancement of public rights of way (PROW) is supported including through the provision of better facilities by adding links to existing networks.<sup>71</sup>

WCS Policy CP52 provides for the retention and enhancement of green infrastructure networks including links.

This is a positively worded policy. A Green and Blue Infrastructure Report has been produced to support the policy. The policy has regard to national policy and guidance, adds a local layer to, and is in general conformity with, the relevant strategic policies, in particular WCS Policies CP50, CP52 and CP57. It will help to achieve sustainable development. It therefore meets the basic conditions.

**Policy 21, Footpaths, Bridleways and Cycleways**, seeks new development adjacent to PROWs, shown on Figure 9 on page 46 of the Plan, to connect to those routes where appropriate.

The policy also encourages applicants to make contributions to other local routes adjacent or near the site. WC makes the comment that where appropriate, developers are expected rather than encouraged to make contributions which I have taken to be planning obligations or through other mechanisms. A modification is made to add clarity and robustness to the policy.

The premise of the policy accords with the NPPF's protection and enhancement of PROW as detailed above. With the modification, it will meet the basic conditions.

- **Reword Policy 16 to read:**

***“Proposals will need to demonstrate that the special qualities of the Area of Outstanding Natural Beauty, where great weight is given to conserving and enhancing landscape and scenic beauty, have been taken into account. Proposals will demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plan.*”**

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<sup>69</sup> NPPF para 92

<sup>70</sup> Ibid para 98

<sup>71</sup> Ibid para 100

Development that conserves and enhances local landscape character and the features *identified* in the Aldbourne Community Character and Design Statement will be supported *where it otherwise meets the tests for development in the AONB set out in national and local policy.*

Development proposals should demonstrate that the whole scheme, including hard landscape and planting proposals draws on the landscape character area characteristics and features through reference to *landscape* assessments, *including site-specific assessment.*”

- Change the first paragraph of Policy 17 to read:

“Any development proposals that are likely to affect any of the views listed below, shown on Figure 6 and described in the Aldbourne Neighbourhood Plan Part B: Aldbourne Parish Community Character and Design Statement should assess the effect of the proposals on the view(s), *avoid any adverse effects and where those effects are unavoidable* demonstrate how *they* have been addressed.”

- Amend the first sentence in the last paragraph of Policy 18 to read:

“Development proposals are also expected to deliver a *minimum 10%* net gain in ‘biodiversity value’ within and, where appropriate, beyond the site in order to deliver tangible benefits for biodiversity.”

- Change the first paragraph of Policy 19 to read:

“The plan *designates* the green spaces *shown* on Figure 7, and listed below, as Local Green Spaces. *Development proposals within the local green spaces will be consistent with national policy for Green Belts.*”

- Change the second paragraph of Policy 21 to read:

“Applicants *will be expected* to make *development contributions or planning obligations when necessary and appropriate to do so*, to other local routes adjacent to or near to those sites that could ensure a more fully linked local network.”

## **5.8 Community Facilities**

The NPPF supports the provision of social, recreational and cultural facilities and services needed by a community.<sup>72</sup> It promotes planning positively for such facilities

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<sup>72</sup> NPPF para 93

and guarding against the loss of such facilities.<sup>73</sup> It refers to the importance of retaining accessible local services and facilities in supporting a prosperous rural economy.<sup>74</sup>

WCS Core Policy 49 seeks to protect rural services and community facilities. It refers to viability and indicates redevelopment is a last resort.

**Policy 22, Community Facilities** safeguards existing facilities which are shown on Figure 10 on page 47 of the Plan. The loss of any facility is only supported by the policy where it can be shown the facility is no longer fit for purpose or viable or if there is an equivalent facility in the Parish. The policy is supported by a Community Facilities Report and Play Areas Audit.

I consider a modification is necessary to ensure that the policy covers both the identified facilities and others which may emerge over the Plan period to help with clarity and to future proof the policy.

With this modification, the policy will have regard to the NPPF, be is a local expression of WCS Policy CP49 in particular and will help to achieve sustainable development thereby meeting the basic conditions.

- **Change the first sentence of the second paragraph of Policy 22 to read:**

**“Proposals that could result in loss of *the community facilities identified on Figure 10 or any community facility* will only be supported where it can be demonstrated that the facility is no longer fit for purpose or viable, or where an equivalent facility is available in the Parish.”**

## **5.9 Employment**

There are two policies in this section. An Employment Report has been produced. This indicates there are a number of local employment sites valued for both the employment they bring and the visitors they generate.

The first policy, **Policy 23, Retaining Employment**, supports changes of use of existing business premises where it can be demonstrated the use is no longer viable as an employment site through an appropriate marketing strategy.

The second policy, **Policy 24, New Employment**, supports the provision of new businesses subject to their impact on amenity, the transport network and the environment and subject to satisfactory parking and design.

The NPPF indicates that planning policies should support economic growth<sup>75</sup> and set out a clear economic vision that positively and proactively encourages sustainable economic growth.<sup>76</sup>

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<sup>73</sup> NPPF para 93

<sup>74</sup> Ibid para 84



The NPPF supports a prosperous rural economy through the sustainable growth and expansion of all types of businesses and through the development and diversification of agricultural and other land-based businesses.<sup>77</sup>

I consider both of these policies have regard to the NPPF, are in general conformity with WCS Policy CP34 in particular and will help to achieve sustainable development. Both therefore meet the basic conditions and no modifications are recommended.

### **5.10 Parking**

There are two policies in this section. The Plan explains that parking has been a concern for some time. This is partly due to garages being used for storage, but mainly because of the nature and character of this historic village.

**Policy 25, Loss of Parking**, therefore resists any proposals that would result in the loss, or otherwise adversely affect, parking provision unless it can be shown that there would not be an adverse impact or that equivalent or better parking would be provided nearby.

**Policy 26, Parking Provision**, seeks to ensure that new development provides adequate on-site parking.

Both policies have regard to the NPPF, which although promoting sustainable transport, recognises that the opportunities to maximise sustainable transport solutions vary between urban and rural areas<sup>78</sup> and requires transport issues to be considered at early stages of development, including the mitigation of adverse environmental impacts.<sup>79</sup> Both policies are in general conformity with the WCS, but reflect the local context and will help to achieve sustainable development in this location. They both meet the basic conditions and no modifications are recommended.

However, WC points out some corrections to be made to the supporting text.

- **Delete the three references to Policy 27 Safety and the section on Safety from pages 49 and 50 of the Plan**

### **5.11 Site Allocations**

This section is numbered 5.12, but I think should be 5.11. This typo can be readily remedied.

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<sup>75</sup> NPPF para 81

<sup>76</sup> Ibid para 82

<sup>77</sup> Ibid para 84

<sup>78</sup> Ibid para 105

<sup>79</sup> Ibid para 104

As previously explained, the WCS identifies Aldbourne as a 'Large Village' in the settlement hierarchy. The WCS limits development in such settlements to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

The WCS identified some 1160 dwellings needed in the Marlborough Community Area within which Aldbourne falls. WC confirms, through the most up to date indicative housing requirements in the most recently published Housing Land Supply Statement 2021, these figures have now been met, but these figures are "at least" figures and should not be seen as limits.

The WCS is clear that Plans should not be constrained by the housing requirements in the WCS and that additional growth may be appropriate and consistent with the settlement strategy. The tenor of the WCS is to enable community-led proposals to come forward.

In answer to my query, WC has indicated that the Plan has been prepared in acknowledgement that a review of the WCS is currently taking place. A topic paper, Empowering Local Communities, consulted upon in January 2021, set out an approach to housing requirements for 'Large Villages' in order to provide guidance to neighbourhood planning groups.

This paper, and therefore the most recent housing figure available from WC for the Plan area, indicates that 40 dwellings in Aldbourne Parish will be needed to the period 2036. This is a minimum figure. The figure can be taken account of, as it is the most recent and up to date evidence available. It is acknowledged by all parties, including myself, that this figure could change, but represents a pro-active approach to housing delivery.

A Housing Needs Survey undertaken in 2018, showed a need for 17 affordable homes in the Parish.

Therefore based on the published evidence and in the light of no evidence to the contrary, I accept that the Parish has an affordable housing requirement and an emerging requirement for market housing through the Local Plan.

Aldbourn Parish falls wholly within the North Wessex Downs AONB. The Marlborough Community Area lies entirely within the North Wessex Downs AONB. The WCS is clear that all development within the Community Area will need to conserve the AONB and its setting and where possible enhance its local distinctiveness and characteristics.

WCS Core Policy 45 requires new housing to address local housing needs and incorporate a range of different types, tenures and sizes to create mixed and balanced communities.

The Plan explains that three sites were assessed as potentially suitable from the Strategic Housing and Economic Land Availability Assessment (SHELAA) and a 'call for sites' put out as part of the work on the Plan based on AECOM's independent

assessment. However, during the process, two of the sites were withdrawn leaving just one.

**Policy 27, Lottage Farm** is therefore allocated for approximately 32 dwellings. An outline planning application (reference 21/01004/OUT) has been submitted for the site for the same number of dwellings, but has yet to be determined.

The site falls wholly within the AONB. The NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and AONBs, which have the highest status of protection in relation to these issues.<sup>80</sup> It continues that the conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.<sup>81</sup>

The scale and extent of development within these designated areas should be limited.<sup>82</sup>

When considering applications for development within AONBs, the NPPF indicates that planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.<sup>83</sup>

The NPPF explains that consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.<sup>84</sup>

The starting point for consideration of the allocation of housing sites has to be the obligation to ensure that great weight is given to conserving and enhancing the landscape and scenic beauty of the AONB.

The ER and its Addendum, the Site Options and Assessment May 2020 (AECOM) and the Site Assessment and Allocations Report including a Landscape Statement (Potterton Associates Ltd) and Tennis Court Site Heritage Assessment (John Davey) acknowledge and assess the impact on the AONB. These assessments, where appropriate, have included consideration of alternative sites. However, the other two sites considered to be suitable were withdrawn leaving only the proposed site.

The NPPF and the WCS recognise that some development can take place in AONBs.

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<sup>80</sup> NPPF para 176

<sup>81</sup> Ibid

<sup>82</sup> Ibid

<sup>83</sup> Ibid para 177

<sup>84</sup> Ibid

I am not determining a planning application; it will be for WC to decide whether any specific scheme constitutes major development and if so, whether there are exceptional circumstances and whether the development is in the public interest. The judgment I must make in relation to the proposed site allocation is different to those determining the planning application or any other site-specific scheme. A site allocation establishes the principle of development on a site.

It is clear to me that there is an identified housing need to 2036. This is not based on one source, but both emerging evidence at WC level and evidence relating to affordable housing needs produced at the local level. A number of sites have been considered and Lottage Farm has emerged. Alternatives within the Plan area (and the Plan can do no more than this) have been assessed. I find no conflict with the WCS or the latest available emerging housing supply evidence. This shows, alongside the Housing Needs Survey, a need for housing in the local area of the proposed scale in the draft policy which could be considered to be “major” within the NPPF meaning of that in relation to AONBs.

The impact on the AONB has been assessed to the extent it needs to be at a plan making stage and can be without a specific scheme through an ER, site assessment work and a site specific Landscape Statement.

The site is adjacent to the settlement boundary. The site appeared to me at my visit to be somewhat contained by its topography. There are existing barns on the site which are of a dilapidated appearance and I do not consider the site has anything other than a neutral impact on the AONB at the present time. A sensitively designed scheme may well improve the appearance of the site itself and the wider AONB.

I understand that WC’s Landscape Officer does not fundamentally object to the site allocation.

Although engagement has taken place with the AONB Unit, there is no formal response from the AONB Unit. It is important that communities can thrive. As the AONB Management Plan states there is a need to manage development pressures with ensuring communities are economically viable and have adequate housing, amenities and facilities.<sup>85</sup> It states, in relation to new housing, that land of least environmental or amenity value outside the protected landscape should be the first choice for development.<sup>86</sup> Only where it is necessary to meet appropriate local needs will new housing be supported, within existing settlements, preferably on previously developed sites.<sup>87</sup>

The Landscape Statement (Potterton Associates) which has been prepared concludes that development of the site is “...logical in respect of the form and evolution of the village, offers opportunity for betterment in terms of local landscape character and

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<sup>85</sup> AONB Management Plan page 72

<sup>86</sup> Ibid page 76

<sup>87</sup> Ibid

would help to upgrade the appearance of the immediate area.”<sup>88</sup>

I have attributed great weight to conserving and enhancing the landscape and scenic beauty of the AONB, with regard to both the site itself and the AONB and its setting.

The evidence before me concludes that Lottage Farm is a suitable and available site and is in fact the only site available. In this context, I am satisfied that the allocation of the site does not undermine the NPPF’s stance on ensuring that land is allocated with the least environmental or amenity value, where consistent with other policies in the NPPF.<sup>89</sup> A preferred direction of future growth is identified in the Plan. Given there is some uncertainty regarding future housing requirements, this is a proactive approach to take and is supported by the development plan and WC. It seems to me to be the most appropriate site within the Plan area. However, it will be up to others to decide whether and how the site should be developed and that there are no other options outside the Plan area.

I have therefore decided the proposed allocation policy in principle can meet the basic conditions.

I turn now to the detail of the policy. It contains a number of criteria aimed at achieving satisfactory development of this edge of village site. They include compliance with the Community Character and Design Statement, affordable housing, mix of housing, storey height, biodiversity enhancement, flooding and phasing. All are appropriate given the explanation for them in the Plan.

The site is shown on Map 1 on page 53 of the Plan. The Map as well as showing the site boundaries also shows the extent of the developable area. There is no reference to the Map or the developable area in the policy itself. Given this is important particularly because of the site’s location both in the AONB and village edge, I recommend a modification to include this in the policy.

There is one other criterion that requires modification. It refers to the flooding and discharge being dealt with to the satisfaction of the Parish Council. Whilst this is a laudable and sensible aim, the Parish Council is not the determining authority for any planning application. In addition, the SEA assumes the inclusion of a different criterion on this matter. A representation on behalf of the developer also requests some different wording is inserted into the policy. A modification is therefore made to address this matter, but with the inclusion of ensuring that any issues are addressed, rather than just simply taken into account, to help to achieve sustainable development.

WC have asked for a further criterion to be added in relation to land contamination. A modification is made to include this within the policy given the history of the site’s uses.

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<sup>88</sup> Landscape Statement page 12

<sup>89</sup> NPPF para 175

Finally, there is an error in the supporting text on page 52 of the Plan. This has been confirmed by the Parish Council in response to a query. Instead of “southernmost”, it should read “northernmost”.

With these modifications, the policy will meet the basic conditions. It will have regard to the NPPF as explained above, is in general conformity with the WCS and especially Policies CP1, CP14, CP45, CP57, CP67 and CP68. It will help to achieve sustainable development, particularly in relation to providing the housing needed to sustain the local community.

- **Correct the sub section numbering**
- **Add the words “*shown on Map 1*” after “The site...” in the first sentence of Policy 27**
- **Amend criterion six of Policy 27 to read:**

***“Built development shall be restricted to the developable area shown on Map 1. The land north of the existing barns outside the developable area will be improved to provide landscape and biodiversity enhancement as part of an area of public open space.”***

- **Amend criterion seven of Policy 27 to read:**  
***“No development shall take place until the development proposal has satisfactorily demonstrated that proper account has been taken of flooding implications, including sewer surcharging, run-off and any water abstraction and that any adverse effects have been satisfactorily addressed.”***

- **Add a new criterion that reads:**

***“A contamination report will need to accompany any planning application.”***

- **Amend references to “...sheds...” in paragraph one on page 52 of the Plan to “...barns...”**
- **Amend paragraph two on page 52 of the Plan to read: “...development of the land north of the *northernmost barn as shown on Map 1* would not be appropriate because of its impact on the AONB – see the boundary of the developable *area* marked on *Map 1*.”**

## Section 6 Priorities and Projects

This section contains a useful list of projects including those which could benefit from any Community Infrastructure Levy monies.

## Appendices

Appendix 1 summarises the titles of the evidence base documents. There are a number of these documents and they are referred to throughout the Plan. Whilst it is not a matter I need to make a recommendation to in respect of my remit, WC's suggestion in their representation about signposting these documents with information on where they are to be published if the Plan is made is useful.

Appendix 2 is the Community Involvement Protocol. This was referred to in **Policy 13** which I have recommended for deletion. This appendix is to be placed in a community aspirations section. It will require some changes to it to make its status as a community aspiration clear.

- **Place Appendix 2 in a community aspiration section**
- **Change the first paragraph of the Protocol to read:**

**“The aim of *this* Protocol is to do all possible to ensure that planning applications accord with *the Aldbourne Neighbourhood Development Plan* and with those of any higher level plans, notably that of Wiltshire Council, as well as all national policy. One particularly effective way of achieving this is through early, planned involvement with the local community via Aldbourne Parish Council.”**

## Part B Community Character and Design Statement

A Community Character and Design Statement has been produced. This is an excellent and comprehensive document which sets out 18 design principles.

Policy 13, now recommended for deletion, is referred to in the Statement on page 36. As a result of the modification suggested, if followed through, this reference needs amendment.

There are a few corrections to make in the interests of accuracy.

- **Consequently amend the reference to Policy 13 on page 36 in the light of my recommendation on Policy 13**
- **In the first sentence of paragraph two on page 5 correct “(Para 27)” to “(Para 127)”**
- **In the second quote from the NPPF in paragraph two on page 5 correct “Neighbourhood plans can play an important role...” to “Neighbourhood *planning groups* can play an important role...”**

## 8.0 Conclusions and recommendations

I am satisfied that the Aldbourne Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Wiltshire Council that, subject to the modifications proposed in this report, the Aldbourne Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Aldbourne Neighbourhood Development Plan should proceed to a referendum based on the Aldbourne Neighbourhood Plan area as approved by Wiltshire Council on 8 August 2016.

*Ann Skippers* MRTPI

Ann Skippers Planning  
20 December 2022



## Appendix 1 List of key documents specific to this examination

Aldbourn Neighbourhood Development Plan 2021 – 2036 Part A Submission Plan June 2022

Basic Conditions Statement Submission Version May 2022

Consultation Statement March 2022 and Regulation 14 Statutory Bodies Responses, Regulation 14 Other Responses and Regulation 14 Community Comments

Strategic Environmental Assessment (SEA) and Habitats Regulation (HRA) Overview Note; SEA Screening Determination of November 2020 (WC); Report to Inform HRA July 2021 (AECOM); SEA Scoping Report April 2021 (AECOM); SEA Environmental Report September 2021 (AECOM); HRA September 2021 (WC); Environmental report Addendum June 2022 (AECOM)

Revised HRA July 2022 (WC)

Assessments and Site Allocations, Site Options and Assessment May 2020 (AECOM); Housing Needs Survey Report December 2018 (WC); and Site Assessment and Allocations Report including a Landscape Statement (Potterton Associates Ltd) and Tennis Court Site Heritage Assessment (John Davey)

Character Area Assessments Report

Safety Around the Village Evidence Report November 2019

Employment in Aldbourn

Community Facilities Report Submission Version June 2022

Green and Blue Infrastructure Report Submission Version June 2022

Local Green Space Evidence Base Report Submission Version June 2022

Heritage Report

Locally Valued Undesignated Heritage Assets Submission Version June 2022

Flooding Report

Play Areas Audit 2019

Aldbourn Conservation Area Statement June 2003 (KDC)

Wiltshire Core Strategy adopted 20 January 2015

Wiltshire Housing Site Allocations Plan adopted February 2020

Wiltshire Climate Strategy 2022 – 2027 February 2022 (WC)

Kennet District Local Plan adopted 30 April 2004

Local Plan Looking towards the Future Empowering Rural Communities January 2021 (WC)

Housing Land Supply Statement Base date: April 2021 Published April 2022 (WC)

North Wessex Downs AONB Management Plan 2019 – 2024

North Wessex Downs AONB Position Statement Housing October 2012

North Wessex Downs AONB Position Statement Renewable Energy October 2012

**List ends**

## Appendix 2 Questions of clarification

### **Aldbourne Neighbourhood Plan Examination**

#### **Questions of clarification from the Examiner to the Parish Council and WC**

Having completed my initial review of the Neighbourhood Plan (the Plan), I would be grateful if both Councils could kindly assist me as appropriate in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information. Please do not send or direct me to evidence that is not already publicly available.

1. Please confirm whether the Parish Council has made any comments on any or all of the representations received at the Regulation 16 stage of consultation. If comments have been made please could these be forwarded to me? I am keen to ensure I'm not missing anything.
2. Please confirm the number of representations received at submission stage (including the one from WC).
3. I seem to be missing representation numbers 2, 3, 8 and 14 from the bundle sent to me. Please could these be forwarded to me.
4. Please briefly set out the engagement process followed for pre-submission consultation stage (Regulation 14). This should include whether any events were held, how the period was advertised and so on.
5. Item 16 is the summary of responses from the statutory consultees. Unfortunately the comment text box has been 'cut off' in the table format and I cannot see the comments in their entirety. Please could I be sent a copy that addresses this issue.
6. Some representations refer to the process having, amongst other issues, a lack of transparency. This is not a matter which falls within my remit, but I would ask that WC consider whether any matter raised through any representation received at the submission stage needs their further investigation.
7. Please could WC confirm whether the housing need for the Marlborough Community Area identified in the Wiltshire Core Strategy has now been met? If this is not the case, or there is a further or additional need based on more up to date information, please specify what the figure is.
8. Please could WC confirm that, based on the latest available evidence, the indicative housing requirement figure for Aldbourne is 40, with commitments of 4 identified leaving a residual of 36 units to 2036?
9. The Plan makes provision for some 32 dwellings via a site allocation. The site is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Does WC support, in principle, the site allocation? Please give reasons for the answer.
10. There appears to be a contradiction within the text on page 52 with the map on page 53. The text indicates that development of the proposed site allocation on land north of the southernmost shed would not be appropriate, but Map 1 shows the 'developable' area extending northwards beyond this shed. Please clarify and send me a copy of the AONB Unit's comments on the proposed sites.

It may be the case that on receipt of your anticipated assistance on these matters that I may need to ask for further clarification or that further queries will occur as the examination progresses. These queries are raised without prejudice to the outcome of the examination.

Please note that this list of clarification questions is a public document and that your answers will also be in the public domain. Both my questions and your responses should be placed on the Councils' websites as appropriate.

With many thanks,  
Ann Skippers MRTPI  
Independent Examiner  
28 November 2022