

Stanton St Quintin Neighbourhood Plan Examination

Note of Interim Findings from the Examiner to the Parish Council and WC

Having completed my initial assessment of the Neighbourhood Plan (the Plan), I am writing to the Parish Council (PC) and Wiltshire Council (WC) to set out my interim findings. I appreciate that my comments below will come as a disappointment to all those involved in the production of the Plan.

Basic Conditions Statement

1. The Basic Conditions Statement does not contain sufficient information on how the Plan meets the basic conditions in respect of national policy and advice or the development plan policies. In addition, it does not refer to the West Wiltshire District Plan which I think applies? The Basic Conditions Statement then does not refer to the other basic conditions at all and makes no mention of human rights.

I consider that the Basic Conditions Statement needs to be redone. This would require a further six week period of consultation.

Consultation Statement and engagement process

2. Please can the PC confirm that the Consultation Statement covers all the responses received at Regulation 14? If it does not cover all responses, then the Consultation Statement needs to be redone and this would require a further period of consultation.
3. I note that the Defence Infrastructure Organisation has submitted a representation on behalf of the Ministry of Defence. In noting that the proposed settlement boundary includes Valetta Gardens, a request has been made that the leaseholders, Annington Homes, be consulted. Please could you let me know if the leaseholders have been specifically consulted at either Regulation 14 or 16 stages?
4. A representation from Mr. M. Reeves expresses concern about the transparency of the process and representations' data breaches and raises other matters too. These are not matters which I can address in my role as examiner as they fall outside my remit, but please may I ask WC to consider these matters and respond to these concerns as needs be?

Strategic Environmental Assessment and Habitats Regulations Assessment

5. Please can WC forward me a copy of the Strategic Environmental Assessment screening and the Habitats Regulation Assessment referred to in their representation? Please confirm that the relevant documents have been subject to the relevant and requisite consultation. *Please note these documents have now been received via email today.*

The Policies

I now have some comments about specific policies.

6. **Policy 1 Village Boundaries** has attracted considerable objection. In essence there needs to be sufficient justification for the designation of settlement boundaries for Stanton St Quintin and Lower Stanton St Quintin. At the very least an explanation of how the definition of

settlement boundaries is in general conformity with the Core Strategy would be expected in the Plan itself or in a supporting document.

Then there needs to be evidence of how the settlement boundaries have been drawn up and whether there a logical approach has been taken. Is there any supporting document that details the approach taken?

7. **Policy 5 Green Space** appears to me to muddle Local Green Space designation with Green Infrastructure. The supporting text for this policy would need substantially rewriting.

Apart from the table in the policy itself, there seems to be no further justification for the spaces proposed to be designated as Local Green Spaces.

Maps of each individual space are needed to clearly show the detailed boundaries of each area.

Some of the spaces proposed may be deleted.

8. **Policy 6 Design Guide** is likely to be recommended for a rewrite. Substantial elements of the supporting text which are selected extracts from the Design Guide are likely to be recommended to be removed from the Plan.

Other comments

9. Other policies, for example **Policy 2 Development Outside the Boundaries of the Villages, Policy 3 Small Scale Housing Development, Policy 4 Affordable Housing, Policy 7 Brownfield Business and Retail Development, Policy 10 Environmental Impact of Business Development, Policy 11 Cemetery** and **Policy 12 Play Space** are likely to be modified significantly or even deleted because they do not generally conform to the relevant development plan policy (or policies) or do not add anything to Wiltshire Core Strategy policies or need to be rewritten so they are clear.
10. Some of the policies do not seem to have any supporting text, for example Policies 2, 3 and 4.
11. In other places, the supporting text does not tie in with the policy and so there is a disjointed flow to the document.
12. Other sections of the Plan, for example Chapter 2 Context and the references to Buckley Barracks, require updating.
13. Other sections such as the search for sites and the call for sites are likely to be deleted because there are no site allocations policies in the Plan.

Conclusions

I have found that the Basic Conditions Statement to be deficient and this issue alone would require a further period of consultation to be carried out. This may also provide an opportunity for leaseholders, landowners and other interested parties to be specifically consulted if they were not consulted before.

However, I have also found that most policies will require substantive rewriting or may even be wholly or partially deleted due to insufficient evidence or a lack of explanation. Furthermore, some of the supporting text will require updating and some is likely to be recommended for deletion. In addition, some policies would benefit from the addition of supporting text. Lastly the flow and structure of the document would benefit from alteration.

I consider that to make these changes, the Plan would be a significantly different document to the one submitted and one that has not been subject to any public consultation.

NPIERS Guidance to service users and examiners indicates “Examiners will not generally refer back to parties on these detailed revisions. But where the modification may necessitate a change which in the opinion of an examiner would be significant, there is a reasonable expectation that a description of the intended modification will be publicised on the local planning authority’s website, seeking comments, prior to recommending the changes. Significant changes may typically require further work to be undertaken, particularly in relation to Strategic Environmental Assessment.”¹

I am conscious that the NPIERS Guidance indicates that what might constitute a significant change will be for me to determine in the context of the Plan examined, but that such changes can lead to concerns over community ownership of the Plan.

It is also important to recognise that I must ensure I am not rewriting the Plan (and indeed would not wish to do so) in making modifications.

Overall, taking all the likely changes into account that I feel I would need to make, I am likely to conclude that I either cannot make the necessary modifications because I would in effect be rewriting large parts of the Plan or that the modifications recommended did constitute significant changes simply because the Plan would be very different to that submitted. This then would require further consultation (in addition to and after any necessary consultation to remedy the deficiencies with the existing supporting documentation).

Action required

I am therefore writing to seek confirmation (or otherwise) that you wish the examination to continue. The alternative is for the Plan to be withdrawn and no further work would be carried out by me on the examination.

If the Plan were withdrawn, then the Parish Council would be able to take the opportunity to improve the Plan before resubmission.

I have also considered whether to hold an exploratory meeting or hearing to consider these issues. I see no immediate benefit to any party in holding a meeting or hearing at the present time as I have set out the issues as I see it in sufficient detail above and it is clear cut.

In the light of the above, I would like to give the PC the opportunity to consider my comments and the best way forward. Please let me know how you would like to proceed by 4 October

¹ Paragraph 2.12.6 of the NPIERS Guidance

2022, but I would also welcome your response earlier if possible. No further work will be carried out on the examination until I have received your response.

This note will be a matter of public record and should be placed on the relevant websites.

With many thanks,

Ann Skippers MRTPI
Independent Examiner
13 September 2022