

OAKSEY NEIGHBOURHOOD PLAN DECISION STATEMENT (PROCEEDING TO REFERENDUM)

1. INTRODUCTION

- 1.1. Pursuant to the Wiltshire Council constitution and in particular Part 3B, the Director for Economic Development and Planning within whose remit Spatial Planning falls is authorised to make decisions on Neighbourhood Plan proposals following the examination of a Neighbourhood Plan proposal in accordance with the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended) and all other relevant legislation.

2. BACKGROUND

- 2.1. The designated area for the Oaksey Neighbourhood Plan comprises the whole of the parish of Oaksey. On 29th April 2016 Wiltshire Council formally approved that the Oaksey Neighbourhood Area (i.e. the land within the parish of Oaksey) be designated in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.2. Oaksey Parish Council – the ‘qualifying body’, submitted the draft Oaksey Neighbourhood Plan (Submission Plan June 2018), along with supporting documents, to Wiltshire Council in June 2018 for consultation, independent examination and the remaining stages of the draft Plan’s preparation in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.3. Following submission of the draft Oaksey Neighbourhood Plan, Wiltshire Council publicised the Plan and supporting documents and invited representations during the consultation period 31st July to 12th September 2018.
- 2.4. In September 2018 Wiltshire Council appointed an independent examiner, Ms Deborah McCann to examine the Plan and consider whether it should proceed to referendum.
- 2.5. The examiner’s report was received in December 2018 and concluded that subject to making the modifications recommended in the report, that the draft Plan meets the Basic Conditions and should proceed to referendum. The examiner also recommended that the Oaksey Neighbourhood Area (the parish area) is an appropriate area within which to hold a referendum.
- 2.6. In accordance with legislation, Wiltshire Council must consider each of the recommendations made in the examiner’s report, decide what action to take in response to each recommendation and what modifications should be made to the draft Plan in order to be satisfied that it meets the Basic Conditions and is compatible with Convention Rights. If the authority is satisfied then a referendum must be held.

Consideration also needs to be given as to whether to extend the area to which the referendum is to take place.

3. DECISION AND REASONS

- 3.1. Having considered the examiner's recommendations and reasons for them, the Council concurs with the examiner's view and have decided to make modifications to the draft Oaksey Neighbourhood Plan to ensure that it meets legal requirements including the Basic Conditions as set out in legislation, and to correct errors. Appendix 1 sets out these modifications, together with the reasons for them.
- 3.2. The Council is satisfied that the Neighbourhood Plan, as modified, complies with the legal requirements and can proceed to referendum.
- 3.3. The Council also agrees with the examiner that the referendum area should reflect the extent of the Oaksey Neighbourhood Area.
- 3.4. I declare that I have no private interest in respect of this matter that would prevent me from making this decision.

Signed:



Alistair Cunningham
Corporate Director
Growth, Investment & Place
Wiltshire Council

Dated: 17th January 2019

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Guidance for using this document

The following table sets out the modifications that are required to be made to the Oaksey Neighbourhood Plan (Submission Plan June 2018), together with an explanation and reasons for the modifications. This should be read alongside the report of the independent examiner¹ to Wiltshire Council on the Oaksey Neighbourhood Plan.

Throughout the table, specific modifications that are required are shown as follows:

- text in **bold and underlined** identifies new text to be added to the Plan.
- text that is shown as ~~strikethrough~~ identifies text to be deleted from the Plan.

The relevant paragraph, policy and page numbering relates to the draft Oaksey Neighbourhood Plan (hereafter referred to as the 'ONP'), as submitted to Wiltshire Council.

The final Oaksey Neighbourhood Plan to be published for the purposes of the referendum, will need to renumber the policies and paragraphs as appropriate following the insertion of modifications.

¹ Independent Examiner's Report of the Oaksey Neighbourhood Development Plan, prepared by Deborah McCann BSc MRICS MRTPI Dip Arch Con Dip LD, received by Wiltshire Council 13/12/2018

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RM1	N/A	Title Page, Back page, inner cover, document headers	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Update title page, back page, inner cover and document headers to reflect that the ONP is now a referendum version, with references as follows: <p>Submission Plan June 2018 <u>Referendum Version January 2019</u></p>	Factual update in the interests of version control and accuracy.
RM2	N/A	Contents page	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Update policy numbers and new map references to reflect modifications required at RM11, RM12, RM14, RM15, RM17, RM18, RM20, RM21 and RM23. 	In the interests of accuracy.
RM3	N/A	Page 7	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p>	In the interests of accuracy. .

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			<ul style="list-style-type: none"> - Update 'Foreword' section to reflect the progress of the plan. 	
RM4	N/A	Page 13, Para 21	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Amend paragraph 21 to read as follows: <p>All policies within the Oaksey Neighbourhood Plan should be read in conjunction with the Wiltshire Core Strategy, the saved policies of the North Wiltshire Local Plan and the emerging Wiltshire Housing Site Allocations Plan. When determining proposals for development, no policy will be applied in isolation and account will be taken of all relevant policies.</p>	In the interests of accuracy.
RM5	N/A	Page 16, Para 25-26	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Amend paragraphs 25 and 26 to read as follows: <p>The North Wiltshire Local Plan 2011, adopted in June 2006 was in part replaced by the Wiltshire Core Strategy. In common with all Local Plans that were in place in 2008, it was necessary to decide which policies were to be 'saved'. As such certain policies ceased to have effect in 2009, other policies were superseded by the adoption of the Wiltshire Core Strategy. The remaining saved policies are used for development management purposes. Some of the remaining North Wiltshire Local Plan 2011 (Saved Policies)</p>	In the interests of accuracy and providing a factual update.

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			<p>will be replaced upon the adoption of the Wiltshire Housing Site Allocations Plan.</p> <p>Wiltshire Council <u>submitted the Wiltshire Housing Site Allocations Plan to the Secretary of State for independent examination in July 2018.</u> has published the emerging Wiltshire Housing Site Allocations Plan, along with accompanying evidence reports, for formal consultation over the summer of 2017. This document does not propose any housing allocations for Oaksey. It has had been proposing to revise the settlement boundary for Oaksey, although but this aspect will be has been taken over by the Oaksey Neighbourhood Plan upon Submission. The Wiltshire Housing Site Allocations Plan is anticipated to be submitted to the Secretary of State for Independent Examination in July 2018 to determine whether it should become part of the Development Plan.</p>	
RM6	N/A	Page 16, 17, Paras 29, 30, 31	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Amend paragraphs 29, 30 and 31 to read as follows: <p>Oaksey lies on the northern fringe of Wiltshire, the land immediately to the north of the Parish of Oaksey lies within the Cotswold District of Gloucestershire. The Cotswold District Local Plan 2001-2011 2011-2031 was adopted in April 2006 August 2018. The majority of the current Local Plan's policies are saved indefinitely or until they are replaced by the emerging Local Plan 2011-2031 and associated documents. The emerging Cotswold Local Plan was submitted to the Secretary of State for Communities and Local Government on 7 July 2017 for</p>	In the interests of accuracy.

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			<p>Examination; the Inspector's Report was received on the 5 June 2018 and the Local Plan is to be adopted imminently.</p> <p>The main cross boundary implication from the Cotswold District Local Plan 2004-2014 is the designation of the Cotswold Water Park (CWP) under Policy SP5 UT.4, including across part of the Parish of Poole Keynes up to the Parish boundary of Oaksey.</p> <p>The emerging Cotswold Local Plan Policy SP5 (Cotswold Water Park: Post-Mineral Extraction After Use) supports proposals for sports, leisure and/or recreational development, whether outdoor or water based sports, leisure, and recreational development on the former mineral extraction sites that lie within the CWP. Tourist accommodation may also be supported in the CWP under Policy EC11 of the emerging Cotswold Local Plan.</p>	
RM7	N/A	Page 17, 18 Paras 34 – 37 and 41	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Paragraphs 34 to 37 should be amended to reflect updates on the progress of nearby neighbourhood plan since the ONP was submitted. - In the interest of accuracy and for consistency with Examiner's recommendation RM9 add footnote to 'Policies Map', which states: <p><u>Maps 3 and 7 show the revised settlement boundary and site allocation respectively, which will be included on the Policies Map.</u></p>	In the interests of accuracy and consistency with RM9.
RM8	N/A	Page 24, policy table	EXAMINER'S COMMENTS:	In the interests of accuracy.

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			<p>- N/A</p> <p>REQUIRED MODIFICATION:</p> <p>- Update policy numbers in the table to reflect policy numbering changes required at RM11, RM12, RM15, RM17, RM20, RM21 and RM23.</p>	
RM9	Page 16	Page 28, Para 2.3	<p>EXAMINER'S COMMENTS:</p> <p>- Policy map 3 illustrates the settlement boundary and should be referred to within the supporting text to the policy for ease of reference so that it is clear what the changes are to the Policies Map for the Development Plan as a whole.</p> <p>REQUIRED MODIFICATION:</p> <p>- Add text to the end of paragraph 2.3, as follows (see RM10 also):</p> <p><u>The settlement boundary for Oaksey, as reviewed by the Oaksey Neighbourhood Development Plan, is shown on Map 3 and will be included on the Policies Map for the development plan.</u></p>	In the interests of clarity for the reader.
RM10	Page 16	Page 29, Map 3	<p>EXAMINER'S COMMENTS:</p> <p>- It would also be helpful if it [Policy Map 3] was co-located with the policy within the plan.</p> <p>REQUIRED MODIFICATION:</p> <p>- Move Map 3 so that it follows paragraph 2.8, leading on to Policy 1.</p>	In the interest of clarity and for ease of reference for the reader when considering the Settlement Boundary policy.

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			<ul style="list-style-type: none"> - Add text, consistent with RM9 to the end of paragraph 2.8, as follows: <p><u>Map 3 shows the revised settlement boundary, which will be included on the Policies Map.</u></p>	
RM11	Page 17-18	Page 31, Policy 1	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - This policy deals with three distinct elements: the settlement boundary and development within it, development in the open countryside and holiday accommodation. - Details of the changes made to the settlement boundary are set out in the Settlement Boundary Methodology document. The methodology is drawn from the principles established by Wiltshire Council in the emerging Wiltshire Housing Site Allocations Plan. I am satisfied that the settlement boundary has been drawn having regard to national policy and in general conformity with the strategic policies of the development plan. - The policy element referring to development in the countryside is overly restrictive and as currently worded does not have regard for national policy and therefore does not meet the Basic Conditions. Paragraph 4 of the policy is also overly restrictive seeking to constrain development for holiday accommodation, leisure and recreation within the existing part of the Cotswold Water Park (Cottage Lake; Swallow Pool; and Mallard Lake) in the Parish without adequate justification. Paragraph 4 as currently worded does not meet the Basic Conditions as it does not have regard for national policy. 	For clarity and to meet the Basic Conditions; and to ensure that elements of the policy are not overly restrictive.

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			<p>REQUIRED MODIFICATION²:</p> <ul style="list-style-type: none"> - Amend the policy text and split it into separate policies, as follows: <p>Policy 1 - Settlement Boundary</p> <p>The settlement boundary of Oaksey is defined on the Policies Map. It serves the purpose of containing the growth of the settlement and protecting the countryside from encroachment.</p> <p>Within the settlement boundary proposals planning permission will be granted supported for small-scale development on sites not allocated for development which do not adversely affect the structure and form of the existing linear settlement morphology, the respect its landscape setting of the settlement or the transitional edge between the built environment of the settlement and the undeveloped nature of the surrounding rural areas.</p> <p><u>Policy 2 - Development in the open</u> countryside</p> <p>The land outside of the settlement boundary is designated as the countryside. Development outside the settlement boundary will be strictly controlled and proposals planning permission will only be supported granted for proposals development which requires a countryside location, such as agriculture, horticulture or forestry; or are related to community, leisure or recreation. In particular those designed to meet the needs of local residents will be supported.</p>	

² Incorporates consequential modification in addition to the examiner’s recommended wording, to ensure consistency of policy wording. This takes out the use of “planning permission will be granted” and replaces it with “proposals will be supported”.

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			<p>Proposals for holiday accommodation, leisure and recreation uses designed to meet the needs of visitors and tourists will only be supported within the existing part of the Cotswold Water Park (Cottage Lake; Swallow Pool; and Mallard Lake) in the Parish. Proposals within the Cotswold Water Park will also need to comply with Core Policy 54 of the Wiltshire Core Strategy and Policy 7 of this Neighbourhood Plan. Proposals to extend the Cotswold Water Park westwards will not be supported.</p> <p><u>Residential development will only be permitted in the countryside where it meets one of the exceptions policies referred to in paragraph 4.25 of the Wiltshire Core Strategy and National Planning Policy.</u></p> <p>Residential development will only be permitted in the countryside where it meets the requirements of National Planning Policy.</p> <p><u>Policy 3 - Holiday Accommodation, leisure and recreation</u></p> <p><u>Proposals for holiday accommodation, leisure and recreation uses designed to meet the needs of visitors and tourists will be supported within the existing part of the Cotswold Water Park (Cottage Lake; Swallow Pool; and Mallard Lake) in the Parish. Proposals within the Cotswold Water Park will also need to comply with Core Policy 54 of the Wiltshire Core Strategy and Policy 7 of this Neighbourhood Plan. Proposals to extend the Cotswold Water Park westwards will not be supported.</u></p> <p>The removal of occupancy restrictions on holiday accommodation to allow their use as a permanent residential dwelling will not be supported unless the property is located within the settlement boundary. The change of use of a permanent residential dwelling</p>	

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			to holiday accommodation will be resisted where this would lead to the permanent loss of a dwelling.	
RM12	Page 20-23	Page 36-37, Policy 2	<p>EXAMINER’S COMMENTS:</p> <ul style="list-style-type: none"> - Policy 2 is very long and includes repetition, it would be easier to use if split into separate policies. Some areas of the policy are overly restrictive. The Oaksey Neighbourhood Plan does not designate any Local Green Spaces although some of the areas in the “open space” section of this policy could have the potential to be designated as such. Whilst I acknowledge that the areas of open space identified as important lie within the Conservation Area or adjacent to it, Conservation Area status does not preclude development and neither does the identification of areas as open space. <p>REQUIRED MODIFICATION³:</p> <ul style="list-style-type: none"> - Amend the policy text and split into separate, renumbered policies as follows: <p>Policy <u>24</u> - Design of New Development and Local Distinctiveness</p> <p>All new development proposals shall should demonstrate good quality design that reinforces local distinctiveness and complements the fabric of the existing built up area, uses good quality harmonious materials and respects views around the village with reference to the height, scale, density, layout, siting, and orientation of new buildings. All new development proposals</p>	For clarity and to meet the Basic Conditions; to avoid repetition; to ensure that elements of the policy are not overly restrictive; and for wording consistency.

³ Incorporates consequential modification in addition to the examiner’s recommended wording, to ensure consistency of policy wording. This takes out the use of “planning permission will be granted” and replaces it with “proposals will be supported”.

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			<p>should shall have regard to the design guidelines set out in the Character Appraisal in Annexe 1.</p> <p><u>New development, where supported by other development plan policies must be integrated into the street scene and landscape through design and the incorporation of suitable green buffers and planting including trees. Development which would introduce a harsh urban edge on the important road gateways into the village identified in the Character Appraisal in Annexe 1 will not be supported.</u></p> <p>New development will only be permitted where it does not adversely affect the distinctive character of Oaksey, including open areas, views and vistas, and built form set out in the Character Appraisal included in Annexe 1.</p> <p>Proposals should not result in the loss of gaps and spaces between buildings which make a positive contribution to the character and appearance of the street scene. Proposals should not result in the loss of open views of the countryside from within the village.</p> <p>Planning permission for pProposals for backland residential development will not be granted <u>supported</u> where the existing character and linear form of the settlement is adversely affected.</p> <p><u>Residential extensions; extensions to other buildings; and outbuildings will be supported where they:</u></p> <ul style="list-style-type: none"> ○ <u>are subordinate to the original building;</u> ○ <u>are constructed of materials which reflect the materials of the original building or those found in the surrounding area;</u> ○ <u>do not result in the loss of existing boundary features;</u> 	

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			<ul style="list-style-type: none"> ○ <u>make a positive contribution to the street scene; and</u> ○ <u>do not adversely affect the inter-relationship between the front of the original building and the public realm.</u> <p>Policy 5 - Views and Vistas</p> <p><u>Proposals should not result in the loss of t</u>The following important public views and vistas <u>are identified for particular protection:</u></p> <ul style="list-style-type: none"> ○ Coppice Lane – Looking North ○ Earls Corner – Looking North ○ Cargill Place – Looking North ○ Bendy Bow – Looking South ○ Gateway to Minety Lane – Looking South ○ Gateway to Wick Road – Looking North ○ Eastern Gateway to the Village adjacent to Oaksey House – Looking West ○ View Along Eastcourt Road – Looking South <p>These important views and vistas are illustrated and explained in detail in the character area profiles in the Character Appraisal in Annexe 1.</p> <p>Policy 6 - Boundary Treatment, Trees and Public Realm</p> <p>Development proposals which have the potential to impact negatively on the boundary treatment, landscaping or trees which make a positive contribution to the public realm will be resisted. Any new development will be expected to demonstrate, where relevant, how they it will contribute to high quality streets, pavements and other publicly accessible areas (the public realm) within Oaksey.</p>	

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			<p>Important boundaries in the form of stone walls and hedges are illustrated on the character profile maps in the Character Appraisal in Annexe 1.</p> <p><u>Policy 7 - Trees</u></p> <p>In addition to the general protection offered by the Conservation Area, the following groups of important trees are identified for protection as important because of the contribution they make to the character and appearance of the village:</p> <ul style="list-style-type: none"> ○ North of Cargill Place ○ West of Woodfolds, The Green ○ West of No.17 The Street ○ The Old Rectory, The Street ○ Playing Field, The Street ○ Churchyard, The Street ○ Orchard Place, Somerford Keynes Road ○ Oaksey House, Somerford Keynes Road <p>These important trees are illustrated on the character profile maps in the Character Appraisal in Annexe 1.</p> <p><u>Policy 8 - Open Spaces</u></p> <p>Development proposals which would adversely affect the contribution that The following important open areas make an important contribution to the character and appearance of the Conservation Area and the overall village. <u>Proposals for development which fail to preserve or enhance these areas will not be supported</u> permitted:</p> <ul style="list-style-type: none"> ○ The Well Garden; ○ The Playing Field; ○ The Churchyard; 	

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			<ul style="list-style-type: none"> ○ The field between Wick Road and Wheatsheaf Lane; ○ The field to the rear of Mulberry House, north of The Street; and ○ The field south of Somerford Keynes Road on the eastern approach to the village. <p>These important open areas are illustrated on the character profile maps in the Character Appraisal in Annexe 1.</p> <p>Policy 9 - Opportunities for Enhancement</p> <p>Proposals which deliver opportunities for enhancement of the built and historic environment in the following areas will be supported subject to compliance with other development plan policies:</p> <ul style="list-style-type: none"> ○ Bendy Bow and its junction with The Street ○ Earls Corner ○ The Well Garden ○ Buildings adjacent to the junction of The Street and Eastcourt Road ○ The South Barn at Street Farm adjacent to The Street <p>These areas for enhancement are illustrated on the character profile maps in the Character Appraisal in Annexe 1.</p> <p>Extensions and Outbuildings</p> <p>Residential extensions; extensions to other buildings; and outbuildings will be supported where they:</p> <ul style="list-style-type: none"> ○ are subordinate to the host property; ○ are constructed of materials which reflect the materials on the host property or those found in the surrounding area; ○ do not result in the loss of existing boundary features; ○ make a positive contribution to the street scene; and 	

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			<p>do not adversely change the inter-relationship between the front of the host property and the public realm.</p>	
RM13	N/A	Pages 40, 49, 68	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Make consequential modifications to reflect that Policy 2 has been renumbered and separated into multiple policies. Change references to 'Policy 2' that appear at paragraph 4.12 and 7.11 of the ONP main document and paragraph 76 of Annex 1 to the ONP. 	In the interests of accuracy.
RM14	Page 20	Page 37, Contents page	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - The important open spaces should be clearly shown on one proposal map numbered and labelled accordingly. <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Insert a new map within the Policy 8 - Open Spaces section, which illustrates on a map the locations of the Open Spaces that are listed in Policy 8. - Add reference to the new map in the contents page 	For clarity and ease of understanding for the reader / decision maker.
RM15	N/A	Page 40, Policy 3	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p>	In the interests of accuracy.

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			<p>- Amend the title of the policy to follow sequentially from the renumbered policies above, as follows:</p> <p>Policy 310 – Highway Impact</p>	
RM16	Page 25	Page 40, Policy 3	<p>EXAMINER'S COMMENTS:</p> <p>- Paragraph 2 of this policy does not have regard for the National Planning Policy Framework (2012), paragraph 32:</p> <p>“All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:</p> <ul style="list-style-type: none"> • the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; • safe and suitable access to the site can be achieved for all people; and • improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.” <p>REQUIRED MODIFICATION⁴:</p>	For clarity and to meet the Basic Conditions; to meet the requirements set out in paragraph 32 of the NPPF (2012).

⁴ Incorporates consequential modification in addition to the examiner's recommended wording, to ensure consistency of policy wording. This takes out the use of “planning permission will be granted” and replaces it with “proposals will be supported”.

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			<ul style="list-style-type: none"> - Amend the second paragraph of the policy, as follows: Proposals for commercial, industrial or other forms of HGV generating development which will result in additional HGV movements through the centre of Oaksey village will only be permitted be supported where routing agreements can be secured to avoid HGV movements through the centre of Oaksey village. - Amend the third and fourth paragraphs of the policy, as follows: Parking Planning permission Proposals will only be granted supported for new development that incorporates adequate on-site provision for parking. Development proposals which would result in the displacement of parking provision from off-street to on-street will not be supported. Refuse Provision Planning permission Proposals will only be granted supported for new development that incorporates adequate on-site provision for the storage of refuse collection bins. Refuse collection storage should be screened and easily accessible to the collection point. 	
RM17	Page 26	Page 45-46, Policy 4	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - This policy is long, mixing policy for heritage assets, the conservation area and identifying non-designated heritage assets. National and local policy already exists which sets out clearly how proposals affecting designated and non-designated heritage assets should be considered. As currently worded this policy does not accurately reflect 	For clarity and to meet the Basic Conditions; to avoid repetition of existing national policy.

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			<p>existing policy. The policy should be split into three policies and clarified.</p> <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Amend the policy text and split into separate policies as follows: <p>Policy 4-11 - Heritage Assets</p> <p><u>Proposals affecting designated and non-designated heritage assets and their settings including those with archaeological interest must comply fully with the requirements of National Planning Policy and the development plan.</u> Development affecting or within the setting of listed buildings requiring planning permission, including for change of use, will be required to demonstrate that the proposal is compatible with the setting and significance of the building.</p> <p><u>Policy 12 - Oaksey Conservation Area</u></p> <p>Development proposals should preserve or enhance the character and appearance of the Conservation Area in accordance with national policy and the development plan, by taking account of the distinctive character, appearance and setting of the Conservation Area including open spaces and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing.</p> <p>Where development results in harm to the significance of designated heritage assets planning permission will only be granted where the public benefits of allowing the development outweigh the harm arising.</p>	

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			<p>Development proposals should take account of their effect on sites and their settings with the potential for archaeological interest. Proposals that are likely to affect known important sites, sites of significant archaeological potential, or those that become known through the development process, will be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation. This will then be used to inform a range of archaeological mitigation measures, if required, for preservation by record and more occasionally preservation in situ. Planning permission will not normally be granted for development proposals which would destroy or detrimentally affect archaeological interests.</p> <p>All development proposals affecting heritage assets and their settings, including new operational development and alterations to existing buildings, where they form or affect heritage assets should utilise appropriate siting, design, detailing, materials and methods of construction. Particular attention should be paid to reflecting locally distinctive styles of development and these should respect traditional methods and natural materials wherever possible.</p> <p>Where development results in harm to the significance of designated heritage assets planning permission will only be granted where the public benefits outweigh the harm arising.</p> <p><u>Policy 13 - Non-Designated Heritage Assets</u></p> <p>The Neighbourhood Plan designates the buildings below as 'Locally Important Buildings' as non- designated heritage assets, further details of them are detailed in the Character Appraisal included at Annexe 1. Where development results in harm to the significance of non-designated heritage assets planning permission will only be granted where the benefits of allowing the development outweigh the harm arising.</p>	

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			<ul style="list-style-type: none"> ○ Old Chapel, The Street ○ Village Shop and Adjacent Building (Former Butchery and Abattoir), The Street ○ National School Building, The Street ○ Street Farm, The Street ○ Spring Cottage, 17 The Street ○ 3 The Street ○ Wisteria Cottage, The Street ○ The Wheatsheaf Public House, Wheatsheaf Lane ○ Skittle Alley, Wheatsheaf Lane ○ Oaksey Court, Somerford Keynes Road <p>Where development proposals requiring planning permission involve demolition, the resulting impact on heritage assets will be assessed under this policy.</p>	
RM18	Page 26	Page 44/45, Contents page	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - A single map showing the non-designated heritage assets should be included within the body of the plan. <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Insert a new map within the section preceding Policy 13, which illustrates on a map the locations of the non-designated heritage assets that are listed in Policy 13. - Add reference to the new map in the contents page 	For clarity and ease of understanding for the reader / decision maker.
RM19	N/A	Page 47-48, Paras 7.5 - 7.6	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p>	In the interest of accuracy.

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			<p>7.5 The Wiltshire Housing Site Allocations Plan Pre-submission draft plan Topic Paper 3 Housing Land Supply4 (June 2017), as at April 2017 identified that the Malmesbury Community Area Remainder which covers a number of parishes including Oaksey still had an indicative housing requirement to be met. Since the pre-submission consultation on the Housing Site Allocations Plan, the Council has published the 2017 Housing Land Supply Statement (published March 2018). This provides a confirmed 2017 housing land supply position (base dated April 2017) and this represented the latest current housing land supply position at the time of drafting the neighbourhood plan. The commitments used to calculate the housing land supply position set out in that this latest document include the housing delivery expected from the housing site allocations proposed within the pre-submission Plan. However, to demonstrate the current housing land supply position in the Community Area prior to applying any proposed allocations, the expected delivery from the proposed allocations has been removed from the developable commitments and indicative residual requirement figures. The indicative housing requirement for the plan period is as follows: [etc]</p> <p>7.6 Notwithstanding the latest that housing supply position the emerging Pre-submission draft Wiltshire Housing Site Allocations Plan is proposed ing to allocate 40 dwellings in Crudwell. The emerging Wiltshire Housing Site Allocations Plan is not proposing any housing allocations in Oaksey. There is no strategic requirement to allocate any housing in Oaksey to meet the indicative housing requirements for the Malmesbury Community Area Remainder prescribed in the Wiltshire Core Strategy.</p>	
RM20	Page 26-27	Page 49-50, Policy 5	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - This policy is long and deals with two distinct issues and would be better dealt with as two separate policies. There 	For clarity and to meet the Basic Conditions; and to ensure that elements of the policy are not overly restrictive.

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			<p>are elements of the policy which are too restrictive and in its current form the policy does not meet the Basic Conditions.</p> <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Amend the policy text and split into separate policies as follows: <p>Policy 514 - New Housing</p> <p>Small-scale infill residential development within the settlement boundary (defined in Policy 1) that does not impact adversely on the character and appearance of the surrounding area or living conditions of future occupiers and neighbouring occupiers will be supported where it complies with other policies in the Neighbourhood Plan and the Wiltshire Core Strategy. In particular proposals should respect the characteristics and local distinctiveness of the relevant Character Area profile detailed in the Character Appraisal in Annexe 1. Proposals will be expected, where possible, to have a direct highway frontage and safe highway access.</p> <p>The design of all housing shall have particular regard to the criteria set out in Wiltshire Core Strategy Core Policy 57 “Ensuring High Quality Design and Place Shaping”.</p> <p>Policy 15 - Housing Allocation</p> <p>Land at Bendy Bow is allocated for a residential redevelopment scheme for the effective replacement of the 12 existing dwellings together with a net addition to the dwelling stock of a minimum of 10 dwellings. Proposals for residential development will only be supported where it provides for a mix of housing sizes and tenures,</p>	

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			<p>involving if appropriate the minimum level of market housing that can be demonstrated as essential to fund the delivery of the affordable housing element. after taking into account any Government grant funding.</p> <p>Proposals for this allocated site should be accompanied by a masterplan. Applicants are encouraged to develop the masterplan developed in collaboration with the community, the Parish Council and the Local Planning Authority. The masterplan and the proposed development should reflect the development principles set out below:</p> <p>1. Frontage to The Street – Provide a new built form frontage to 'The Street' to which which reinforces the traditional street scene of those buildings facing 'The Street' which predominantly feature a generous frontage space. Also, it should retain or relocate and rebuild if necessary the existing boundary wall at the junction of 'The Street' and Bendy Bow to reflect the traditional wall boundaries found along 'The Street'. The access area and vista will also need to be improved.</p> <p>2. Materials – The redevelopment of the site area facing The Street should enhance the character of the Conservation Area with materials that reflect the history of the area, for example utilising, where possible, traditional buildings of stone and pantile. Elsewhere materials should seek to enhance the appearance of Bendy Bow.</p> <p>3. Housing – Provide a mixed development which meets the defined needs of those households displaced by the redevelopment proposal. New market housing should be of a size and style suitable for small/medium family provision which can provide an option for the local community to access market housing at a cost below that found within the established village housing market.</p>	

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			<p>4. Parking – Provide adequate off-street parking to serve the new housing.</p> <p>5. Landscaping – Redevelopment should continue to ensure that properties have strong boundaries to the road frontages to retain the existing enclosed character. Existing hedges and trees to the countryside site boundaries should be retained to help assimilate the new development into the settlement edge.</p>	
RM21	N/A	Page 53, Policy 6	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Amend the title of the policy, to follow sequentially from the renumbered policies above, as follows: <p>Policy 6 16 - Opportunities for Enhancement</p>	In the interests of accuracy.
RM22	Page 32	Page 53, Policy 6	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - Subject to the word "permitted" being replaced with "supported" I am satisfied that this policy meets the Basic Conditions. <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Amend the last paragraph of Policy 16, as follows: <p>Development proposals that would result in the loss of community facilities (Places of Worship; Public Houses; Sports Facilities; School; Post Office; Shop; the Village Hall; or the Well Garden) will not be permitted supported unless it can be shown that they</p>	To meet the Basic Conditions.

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			are poorly used, not viable in terms of community need, or adequate replacement provision is made elsewhere nearby within or close to the Parish. Proposals will also need to demonstrate a lack of economic viability as set out in Core Policy 49 (Protection of rural services and community facilities) of the Wiltshire Core Strategy.	
RM23	Page 33-35	Page 56-57, Policy 7	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - This policy is long and includes elements of community aspiration rather than policy. These elements can still form part of the Plan but should either be included in a separate section of the Plan, if they are clearly identifiable community aspirations they should be identified as such, if not then the text could form part of the context or justification for the policy. There is also repetition of issues covered by other policies in the Plan, policies 2 and 4. <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Amend the policy, as follows: <p>Policy 717: Setting of Oaksey Village</p> <p>The Neighbourhood Plan supports proposals that protect and enhance the natural features that are a key component of the landscape and provide habitat for Oaksey's diverse wildlife populations, including:</p> <ol style="list-style-type: none"> a) Measures to protect & enhance our natural environment & landscape character and to maintain tree cover & hedgerows will be promoted wherever possible; b) Proposals that provide favourable conditions for biodiversity including maintenance and enhancement of habitat connectivity and landscape scale conservation will 	To meet the Basic Conditions; to remove elements of community aspiration rather than policy; and to remove repetition of issues already covered by Policy 2 and Policy 4.

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			<p>be supported. Mitigation measures will be sought where any loss would be unavoidable and cause significant harm;</p> <p>e) Woodlands & hedgerows. The community support measures to increase the enhancement, reinstatement or creation of hedgerows along boundaries, and support the creation of additional pockets of woodland.</p> <p>Development within and on the edge of Oaksey will only be permitted where it does not adversely affect views and linkages into and out of the village. Key views and vistas are included in the Character Appraisal in Annexe 1.</p> <p>The following areas are considered important to the overall setting of Oaksey Parish:</p> <ul style="list-style-type: none"> ○ Oaksey Wood; ○ Dean Plantation; ○ The tree planting at Oaksey Golf Club; ○ The tree lined driveway to Park Farm; and ○ The trees to the east of Eastcourt Road <p>New development will be supported provided that it does not adversely affect or devalue the structure, diversity or views of the street scene and landscape. New development, where supported by other plan policies, must be integrated into the street scene and landscape through design and the incorporation of suitable green buffers and the planting including trees. Development which would introduce a harsh urban edge on the important road gateways into the village identified in the Character Appraisal in Annexe 1 will not be permitted.</p> <p>Development which adversely affects the character, appearance, setting, and tranquillity of the river corridors of Swill Brook and Flagham Brook will not be permitted supported.</p>	

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			<p><u>Development proposals affecting sites of international, national and local nature conservation and geological importance will be determined in accordance with national policy and the development plan.</u> Development which adversely affects the integrity of the North Meadow and Clattinger Farm Special Area of Conservation will not be permitted. Development which would adversely affect the ecological importance or rural character and appearance of the Clattinger Farm SSSI, Ancient Woodland and County Wildlife Sites will not be permitted.</p> <p>Proposals to enhance the village and surrounding areas through appropriate landscaping and planting, especially around any new developments, will be encouraged.</p>	
RM24	N/A	Page 59, policy table	<p>EXAMINER'S COMMENTS:</p> <ul style="list-style-type: none"> - N/A <p>REQUIRED MODIFICATION:</p> <ul style="list-style-type: none"> - Update policy numbers in the table to reflect modifications required at RM11, RM12, RM15, RM17, RM20, RM21 and RM23. 	In the interests of accuracy.