

# Seend Parish Neighbourhood Plan 2020 -2030

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## Initial Comments of the Independent Examiner

**Prepared by**

**JOHN SLATER BA(Hons), DMS, MRTPI**

**John Slater Planning Ltd**

**18<sup>th</sup> January 2021**

## **Introductory Remarks**

1. As you will be aware, I have been appointed to carry out the examination of the Seend Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents which I have been sent. I visited the parish including Seend, Seend Cleeve, Seend Head, The Stocks, Martinslade and Sells Green as well as the surrounding countryside on Wednesday 13<sup>th</sup> January 2021.
2. My preliminary view is that I should be able to deal with the examination of this Plan by the consideration of the written material only. I do have to reserve the right to call for a public hearing, if I consider that it will assist my examination, but that may only be necessary, if there are issues that emerge from the responses to this note, which I feel warrant further exploration. If I do have to call a hearing, which is unlikely to be required, it would have to be via a video conference call, in the current COVID 10 climate.
3. Set out in the following paragraphs are a number of matters that I wish to receive either clarification or further comments from the Parish Council or in some cases from Wiltshire Council. Such requests are quite normal during the examination process and the replies will help me prepare my report and come to my conclusions.

## **Regulation 16 Comments**

4. I would firstly like to offer the Parish Council the opportunity to comment on the representations that were submitted as part of the Regulation 16 consultation. I am not expecting a response in respect of every point, just those that the Parish Council feels it wishes to respond to.

## **Strategic Policies**

5. Can Wiltshire Council confirm that it is only the Strategic Development policies in the local plan that are for the purpose of the basic condition, the strategic policies that the neighbourhood plan has to be in general conformity with?

## **Policy SD1: Locally Distinctive, High Quality Design**

6. Can Wiltshire Council confirm whether a Compliance Statement is included of the list of documents required to accompany a planning application as set out in its Local Validation Checklist?
7. Would the Parish Council comment on whether a Design and Access Statement could meet the requirements of a Compliance Statement, for appropriate development in the Conservation Area?

## **Policy SP3- Locally Valued Heritage Assets**

8. Could the Parish Council confirm that there are only the 2 sections of original pavements proposed to be designated?

9. Would the Parish Council define which particular properties the Seend Cleave Slag Stone Walls are attached to?
10. I need to be convinced that the Irene Usher Memorial Hall meets the definition of being a heritage asset as set out in the NPPF, having been built in 1973. Can the Parish Council elaborate on whether the proposal relates solely to the historical association with the person the building is named after or dedicated to, rather than the actual heritage interest of the building itself? I need to be satisfied that the dedication of the building is sufficient basis for its protection in planning terms.

### **Melksham By Pass**

11. I would be grateful if Wiltshire Council could confirm whether the proposed by pass is being treated as “a nationally significant infrastructure project”.
12. Is there a published alignment of its route?

### **Policy SP4 – Landscape and Local Key Views**

13. Can the reference numbers of the local key views in Figure 10 be increased in size and clarity so that it is easier for the reader to be able to cross reference the map with the description of the views in the Seend Local Key Views report?

### **Policy SP5- Parish Green Infrastructure**

14. Can the Parish Council elaborate further and explain how an applicant will be expected to demonstrate that they are delivering a 10% improvement in “biodiversity value” on a site as a result of the development? How is the base value of a site calculated and how will the proposals for the increase be calculated?

### **Policy SP 8 – Community Facilities**

15. To what extent does the Caravan Club campsite provide a community facility?
16. Is there a conflict between sites being designated as local green space, such as the Parish Council allotments, WI allotments and the picnic site, which would rule out development except in exceptional circumstances and their designation as community facilities, which allows facilities to be lost if it is no longer needed, fit for purpose or viable or where an equivalent facility is available in the parish? How would a decision maker know which policy took priority? Is there a value in duplicating protection with different criteria for development on the same site?

### **Policy SP11- Sustainable Development in Seend Parish**

17. Could the Parish Council define what it considers to be a “small” or “very modest” number of housing units. Does it have a view on the applicability, as suggested by Wiltshire Council of the use of “minor development”, which would allow up to 9 dwellings.
18. Can the Parish Council comment on whether its use of “suitable brownfield land” is the same as that used by the NPPF when it defines “previously developed land”?

### Policy SP13- Climate Change and Sustainable Design

19. Can the Parish Council comment on whether this policy is compatible with the Secretary of State's policy as set out in a House of Commons Written Statement dated 25th March 2015 that neighbourhood plans should not set "any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings"?

### Concluding Remarks

20. I am sending this note direct to Seend Parish Council, as well as Wiltshire Council. I would request that both parties' responses to my questions should be sent to me by 5 pm on **1<sup>st</sup> February 2021**. If either party needs extra time to respond please let me know, but I wish to maintain the momentum on this examination.

21. I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan's and also Wiltshire Council's websites

John Slater BA (Hons), DMS, MRTPI

John Slater Planning Ltd

Independent Examiner to the Seend Neighbourhood Plan.

18<sup>th</sup> January 2021