

SEEND PARISH NEIGHBOURHOOD PLAN DECISION STATEMENT (PROCEEDING TO REFERENDUM)

1. INTRODUCTION

- 1.1. Pursuant to the Wiltshire Council constitution and in particular Part 3D, the Interim Corporate Director for Place and Environment 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 Seend Parish Neighbourhood Plan comprises the whole of the parish of Seend. On 29th July 2016 Wiltshire Council formally approved that the Seend Parish Neighbourhood Area (i.e. the land within the parish of Seend) be designated in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.2. Seend Parish Council – the ‘qualifying body’, submitted the draft Seend Parish Neighbourhood Plan 2020-2030 (submission version August 2020), along with supporting documents, to Wiltshire Council in September 2020 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 Seend Parish Neighbourhood Plan, Wiltshire Council publicised the Plan and supporting documents and invited representations during the consultation period 5th October 2020 to 30th November 2020.
- 2.4. In January 2021, Wiltshire Council appointed an independent examiner, Mr John Slater BA (Hons), DMS, MRTPI, to examine the draft Plan and consider whether it should proceed to referendum.
- 2.5. The examiner’s report was received on 11th February 2021 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 Seend 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. Wiltshire Council must be satisfied that the neighbourhood plan meets the Basic Conditions, is compatible with the Convention rights and complies with the provision made by or under sections 61E (2), 61J and 61L of the Town and Country Planning Act 1990, or that the draft order would meet those conditions, be compatible with those rights and comply with that provision if modifications were made to the draft order.
- 3.2. Wiltshire Council has considered the examiner's recommendations and reasons for them. Wiltshire Council has decided to make the examiner's modifications with additional modifications by the Council to the draft Seend Parish Neighbourhood Plan, for the purpose of correcting errors (which includes amendments necessary to achieve accuracy and consistency in the wording of policies and supporting text) and to ensure that it meets legal requirements, including the Basic Conditions as set out in legislation. **Appendix 1** sets out these modifications, together with the reasons for them.
- 3.3. The Council is satisfied that the Neighbourhood Plan, as modified, complies with the legal requirements and can proceed to referendum.
- 3.4. The Council also agrees with the examiner that the referendum area should reflect the extent of the parish of Seend.
- 3.5. I declare that I have no private interest in respect of this matter that would prevent me from making this decision.

Signed:

Sam Fox

Sam Fox
Interim Corporate Director for Place and Environment
Wiltshire Council

Dated: 18th February 2021

APPENDIX 1

Modifications required to be made to the draft Seend Parish Neighbourhood Plan (2020 – 2030) (submitted August 2020) in response to the Examiner's recommendations and to correct errors

Guidance for using this document

The following table sets out the modifications that are required to be made to the Seend Parish Neighbourhood Plan (2020 - 2030) (submitted August 2020) together with the explanation and reason for modification. This should be read alongside the report dated 11th February 2020 of the independent examiner, John Slater to Wiltshire Council on the draft Seend Parish Neighbourhood Plan.

Throughout the table, specific changes 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 ~~*red italic strikethrough*~~ identifies text to be deleted from the Plan.

The relevant paragraph, policy and page numbering relates to the draft Seend Parish Neighbourhood Plan (2020 - 2030) (submitted August 2020) together, hereafter referred to as the 'SPNP', as submitted to Wiltshire Council. For each change, the table sets out the examiner's recommendation as set out in his report together with the modification that is required to be made to the neighbourhood plan. Some additional changes are also included that are not in the examiner's report to correct errors such as typos.

As a result of some modifications, consequential amendments may be required to the final SPNP to be published for the purposes of the referendum. These can include changing section headings, amending the contents page, renumbering paragraphs or pages and ensuring that supporting appendices and other documents align with the final version of the Plan.

APPENDIX 1

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R1	N/A	Page 1, Title and date,	<p><u>WILTSHIRE COMMENT:</u></p> <p>Amend title and date of Neighbourhood Plan.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend title and date of document as follows: <p>“Seend Parish Neighbourhood Plan 2020 - 2030 <i>Submission Referendum Plan Version August 2020</i>”</p>	To update version and date of document.
R2	N/A	Page 14, Section 3, paragraph two	<p><u>WILTSHIRE COMMENT:</u></p> <p>The Wiltshire Core Strategy plan period is given in brackets as 2015-2026. The plan period for the Wiltshire Core Strategy is in fact 2006-2026. This is repeated in paragraph four. Should remove or replace the following sentence as it is likely to be out of date by the time the plan is published for Referendum. You may want to have regard to the Local Development Scheme, approved July 2020.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend paragraph two of Section 3 as follows: <p>“As well as having regard to national policies and guidance, the Neighbourhood Plan must be in general conformity with strategic policies in the Wiltshire Local Development Plan. At the time of this draft Plan being consulted on, the Wiltshire Core Strategy (20152006-2026) is the main Development Plan document. Wiltshire Council is reviewing the Wiltshire Core Strategy adopted in January 2015 (to be recast as the Wiltshire Local Plan). A review is required as the Government encourages local planning authorities to revisit their Local Plans every five years. <i>At the time of writing the expectation is that Wiltshire Local Plan will be consulting informally and formally on the Plan during 2020,</i></p>	In the interest of clarity.

APPENDIX 1

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			so a new Local Plan could be expected to be in place in 2022. Once the Wiltshire Local Plan is adopted, the policies in this plan will be reviewed to ensure that the Neighbourhood Plan policies remain in 'general conformity' with the strategic policies of the Wiltshire Local Development Plan, and to consider whether any updates to the Neighbourhood Plan are needed."	
R3	N/A	Page 15, Section 3.1, paragraph seven	<p><u>WILTSHIRE COMMENT:</u></p> <p>It seems the word 'statement' is missing. The text should read 'Housing Land Supply Statement 2018'.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend paragraph seven of Section 3.1 as follows: <p>"The current development context is that the indicative remaining housing requirement for new homes in the Melksham Community Area, within which Seend is located, is shown as 0 in appendix 6 of the Wiltshire Council Housing Land Supply Statement (2018) and demonstrates that the indicative housing requirement for the community area has been exceeded for this plan period (to 2026). As outlined above, the Wiltshire Local Plan review is underway, which will look at housing requirements over the next plan period up to 2036."</p>	In the interest of clarity
R4	10	Page 23, Policy SP1	<p><u>EXAMINER COMMENT:</u></p> <p>The policy requires applicants to submit a "compliance statement". A neighbourhood plan policy cannot establish what documents an applicant is required to submit with a planning application. Under the terms of the Town and Country Planning General Development Management Procedure Order 2015, that is the role of the Local Validation Checklist prepared by Wiltshire Council, which has confirmed that it does not</p>	For clarity and to comply with the basic conditions

APPENDIX 1

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			<p>require the submission of such a statement. The objective of the statement can be achieved by encouraging applicants to demonstrate how their scheme has responded to the character area etc. This will require amendments to final paragraph and will include reference to figure 6, which is not appropriate for a policy (unlike reference to a map which would be specific to the plan), which will be quoted in documents, beyond the actual neighbourhood plan document such as in planning decision notices.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend the text of Policy SP1 as follows: <p>“All new development within Seend Parish must demonstrate locally distinctive, high quality design. This means responding to and integrating with the locally distinctive characteristics of the natural and built environment as set out in the Seend Parish Character Statement.</p> <p>Any development requiring planning permission within the neighbourhood Plan area must submit a compliance statement will be expected to demonstrate how the proposal has responded to the character area within which it is located or adjacent to; in particular it should illustrate how the building forms, materials, boundary treatments and landscape take account of the guidance contained as detailed in the Seend Parish Character Statement.</p> <p>The compliance statement should also Applicants are encouraged to demonstrate how the ten characteristics of 'good design', as set out in the National Design Guide (2019) and shown on figure 6, are addressed.”</p>	

APPENDIX 1

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R5	11	Page 25, Policy SP2	<p><u>EXAMINER COMMENT:</u></p> <p>Similar issues arise with relation to the policy's reference again to a "compliance statement" which must be submitted. However, an application for any new residential development or non-residential buildings with a floorspace of over 100 sq.m. within a conservation area would be required to submit a Design and Access Statement. Such a statement can then reference the contents of the two documents.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text within first paragraph of Policy SP2 as follows: <p>"Development within the Seend Conservation Area, as shown on Figure 7 and its setting, including alterations and extensions to existing buildings must demonstrate, through submission of a compliance statement will be expected to demonstrate within any Design and Access Statement, that it has had regard to the Seend Conservation Area Statement and the Seend Parish Character Statement. The following key principles are a central part of achieving high quality that respects the character and appearance of the Conservation Area:"</p>	For clarity and to comply with the basic conditions
R6	11	Page 27, Policy SP3	<p><u>EXAMINER COMMENT:</u></p> <p>Bring the status of the undesignated assets into line with the term used in national policy. That will avoid any confusion as to their status.</p> <p>Recommend a form of wording that will ensure that this policy is consistent with the Secretary of State's guidance as set out in paragraph 197 of the Framework.</p>	To clarify terminology, wording and location of identified assets and remove ineligible asset in compliance with the basic conditions.

APPENDIX 1

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			<p>I have no concerns with most of the proposed designations. The plan refers to Original Pavements, High Street, Seend but does not indicate where they are situated, in order that they could be taken into consideration when a planning application is submitted. I will recommend that these will be identified individually as well as where the 'Seend Cleeve slag stone walls' were situated.</p> <p>The final building on the list in the policy is the Irene Usher Memorial Pavilion does not mean the building automatically warrants designation as a heritage asset.</p> <p>I do not consider the pavilion qualifies as a heritage building in its own right and I will be recommending that it be removed from the list. It is however protected as a community facility by the plan.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text within Policy SP3 as follows: <p>"Policy SP3: Locally Valued Un<u>Non-Designated</u> Heritage Assets</p> <p>The Neighbourhood Plan identifies the buildings and structures listed below and shown on Figure 8 as Locally Valued Un<u>Non-Designated</u> Heritage Assets.</p> <p>Any development proposals that would affect the character, setting or integrity of the identified Locally Valued Un<u>Non-Designated</u> Heritage Asset(s) should:</p> <ol style="list-style-type: none"> be accompanied by a description of the Asset's significance in sufficient detail to allow the potential impacts<u>the scale of any harm or loss</u> to be adequately assessed <u>against the significance of the asset;</u> be sympathetic to the building or structure concerned and propose its creative reuse and adaptation; and 	

APPENDIX 1

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			<p>iii. ensure that recording and interpretation is undertaken to document and understand the asset's archaeological, architectural, artistic or historic significance. Locally Valued Unlisted non-designated Heritage Assets are:</p> <ul style="list-style-type: none"> • All 26 of the Significant Unlisted non-designated Heritage Assets identified in the Conservation Area Statement 2005; and, • Parish wide Locally Valued Un Non-designated Heritage Assets identified in the Locally Valued Un Non-Designated Heritage Assets Report (2020) and listed below: <p>A Old Farm Barn, Dial Close B Ferrum House, Seend Cleeve C New Buildings D Oriel House E Victorian Post Box F Phone Boxes G Post Box (Spout Lane) H Original Pavements, High Street, Seend from the Methodist Chapel, to Bell Hill, the garden path at View Rosa, the old Post Office at 1 High Street, 3 High Street, entrance to drive to Dial House and the drive to The Laurels I Seend Cleeve Slag Stone Walls at 13 Seend Cleeve, 17 Seend Cleeve and Ferrum House J The Barge Inn Canal-side pub K Five Seend Canal Locks L Canal Swing Bridges M Canal Pill Boxes N Five Canal Bridges (Spout Lane, Bollands Hill, Seend Cleeve, Sells Green / Martinslade, Packhorse Bridge) O Scott's Wharf P Irene Usher Memorial Pavilion."</p>	

APPENDIX 1

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R7	N/A	Pages 27 and 28	<p><u>WILTSHIRE COMMENT:</u></p> <p>The title of the supporting document ‘Locally Valued Undesignated Heritage Assets Report (2020)’ will need to be amended in line with modifications set out in R6. An additional modification to reference to the document will be needed in paragraph three of the policy explanation text on page 28.</p> <p><u>REQUIRED MODIFICATIONS:</u></p> <ul style="list-style-type: none"> Amend the title of supporting evidence as follows: “Locally Valued UnNon-Designated Heritage Assets Report (2020)” Amend the title of page 27 as follows: “Locally Valued UnNon-Designated Heritage Assets” Amend the title of Figure 8 as follows: “Figure 8: Locally Valued UnNon-Designated Heritage Assets in the Parish” Amend text in paragraphs one and three, page 28 as follows: “UnlistedNon-designated, but locally valued and distinctive elements of Seend Parish contribute to a sense of local character and identity, which should be conserved and where possible, enhanced.” “The Locally Valued UnNon-Designated Heritage Assets Report (2020) that forms part of the evidence base to this Plan, sets out how local buildings or features such as canal bridges and even traditional phone boxes, which are not formally designated (as Grade I or Grade II etc.), but are distinctive elements of our very local Parish historic environment. 	To clarify terminology in line with the term used in national policy.

APPENDIX 1

Modifications required to be made to the draft Seend Parish Neighbourhood Plan (2020 – 2030) (submitted August 2020) in response to the Examiner's recommendations and to correct errors

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			These ## non-designated heritage assets are important and valued as part of our community's collected sense of place and history."	
R8	N/A	Page 30 Ref Melksham By-Pass	<p><u>WILTSHIRE COMMENT:</u></p> <p>The text would benefit from being clearer as the Melksham Bypass is part of the 'Large Local Major improvement scheme' funded from Department for Transport's Road Investment Strategy (RIS2). Whereas National Infrastructure Projects include the Stonehenge road scheme for example. Any reference to National Infrastructure Projects should be removed for clarity. The text would benefit from rewording to highlight that the project is within its early stages and is subject to successful progress through statutory procedures.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend the text of the paragraph 'Melksham By-Pass' as follows: <p>"Melksham By-Pass Since Regulation 14 Consultation on this Plan, Government funding has been awarded for the development of proposals for a Melksham By-Pass. There are a number of routes proposed and being investigated further. Construction of a By-Pass is estimated to begin within the Plan period (subject to any approval) of the Seend Neighbourhood Plan. One of the proposed routes (Option C) will come within Seend Parish to the north of the canal and south of Bowerhill. National Infrastructure Projects Large Local Major Improvement Schemes such as the Melksham By-pass are outside the remit of a Neighbourhood Plan; however, this would impact on the landscape and the rural qualities of the Parish, in particular the Canal and its setting is a major concern to the Parish. The canal and its setting, as important assets to Wiltshire, must be key considerations in any decision on routes and delivery of the road."</p>	Factual clarification.

APPENDIX 1

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R9	12	Page 32, Figure 10	<p><u>EXAMINER COMMENT:</u></p> <p>The scale of the plan displayed on page 32, is too small to be able to identify the reference letters to each view, allowing a correlation with the Parish Local Key Views Report. The Parish Council provided an A4 version of the plan, which is just large enough to allow the reference letters to be readable. I suggest the plan be displayed at A4 in the final document.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> • Publish Figure 10 as a full page A4 map to ensure the reference letters against each viewpoint are readable. 	To ensure clarity of Figure 10.
R10	13	Page 33, Policy SP5	<p><u>EXAMINER COMMENT:</u></p> <p>A requirement for applications to be accompanied by a specific document is beyond the scope of a plan policy which relates to how and application should be determined, rather than how it should be submitted. Alternative wording can achieve the same result.</p> <p>The final requirement in the second paragraph of the policy raises questions as to how a 10% improvement in biodiversity would be measured. Wiltshire Council's Regulation 16 comments included a revised drafting that refers to Natural England's Biodiversity Metric.</p> <p>Not all planning applications will necessarily impact on green infrastructure, such as changes of use or minor domestic extensions or alterations, so I will introduce a caveat "where relevant".</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> • Amend text within Policy SP5 as follows: 	For clarity and to comply with the basic conditions

APPENDIX 1

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			<p>“Proposals for developments must be accompanied by: will, where relevant to the proposed development, demonstrate:</p> <p>i. a plan of the existing GI within and around the development site;</p> <p>i. information demonstrating how GI within and around the development site has been incorporated into the scheme in order to increase function and improve connectivity of GI through the site and beyond to identified priorities and assets; and,</p> <p>ii. submission of a biodiversity net gain plan to demonstrate at least a 10 per cent improvement in “biodiversity value” within and, where appropriate, beyond the site. A Biodiversity Enhancement Plan to demonstrate the protection and enhancement of existing habitats, accompanied by biodiversity calculations obtained using Natural England’s most up to date version of the Biodiversity Metric in order to quantitatively demonstrate the minimum biodiversity net gain of 10% within, and where appropriate, beyond the site.”</p>	
R11	N/A	Page 35, paragraph two	<p><u>WILTSHIRE COMMENT:</u></p> <p>Text relating to the Environmental Bill requires updating, as the Bill has not yet received royal assent. Additionally, the launch of the Natural England/DEFRA Biodiversity Metric (version 3.0) has been delayed to Spring 2021.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend paragraph two of page 35 which is supporting text to Policy SP5 as follows: <p>“The policy aims to positively preserve and protect habitats and biodiversity in the Parish. Biodiversity net gain follows on from the Government’s aim in its 25 Year Environment Plan to “leave the environment in a better state than we found it”. The NPPF already requires local planning authorities to encourage developers to incorporate biodiversity improvements in and around developments,</p>	To bring supporting text up to date.

APPENDIX 1

Modifications required to be made to the draft Seend Parish Neighbourhood Plan (2020 – 2030) (submitted August 2020) in response to the Examiner's recommendations and to correct errors

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			<p>"especially where this can secure measurable net gains for biodiversity". Policy SP5 is in line with the forthcoming Environment Bill (expected to gain royal assent in Autumn 20201) which will require new developments to improve a site's biodiversity value by at least 10 per cent to gain planning consent. Biodiversity value must be calculated using the Government's biodiversity calculator otherwise known as the "Defra metric" expected to be ready for use in September 2020 Spring 2021."</p>	
R12	13	Page 38, Policy SP7	<p><u>EXAMINER COMMENT:</u></p> <p>This will be a local highways scheme, rather than a national infrastructure project, which would not be possible to be dealt with in a neighbourhood plan policy. The neighbourhood plan policy will be a material consideration in any planning application for the new road. I will propose an alternative wording that makes it clear that any mitigation to these issues will be relevant to a planning application for that part of the road which includes land within the plan area.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text within Policy SP7 as follows: <p>"In the event that a Melksham Bypass is constructed and passes proposed to pass in part through the Parish, the effect of the infrastructure proposal on the following elements of the canal's setting will be expected to demonstrate how they will be mitigated:</p> <ol style="list-style-type: none"> iv. tranquillity v. light pollution vi. biodiversity assets in recognition of its status as a County Wildlife Site vii. heritage assets, including archaeology viii. access to the Canal." 	For clarity and accuracy.

APPENDIX 1

Modifications required to be made to the draft Seend Parish Neighbourhood Plan (2020 – 2030) (submitted August 2020) in response to the Examiner's recommendations and to correct errors

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R13	N/A	Page 40, last paragraph	<p><u>WILTSHIRE COMMENT:</u></p> <p>Reference is made to saved Policy WR2 of the West Wiltshire Leisure and Recreation DPD 2009. This relates to land outside of the designated neighbourhood plan area and reference should be omitted.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text of last paragraph on page 40 as follows: <p>"It also links to saved policy TR2 (Facilities for boat users along the Kennet & Avon Canal) from the Kennet Local Plan, and saved policy WR2 (Kennet & Avon) from the West Wiltshire Leisure and Recreation Development Plan Document."</p>	For clarity and accuracy.
R14	14	Page 42, Policy SP8	<p><u>EXAMINER COMMENT:</u></p> <p>The policy needs to be worded positively, so in the second paragraph I will remove reference to "only" being granted if a particular set of circumstances exist.</p> <p>I will include reference to the shop run on the campsite as a community facility, but it must be appreciated that there will only be limited planning control over its use if, for example, the shop closed, but the caravan and camping site would continue.</p> <p>Three of the proposed community facilities are also designated as local green spaces. The Parish Council and Wiltshire Council recognise that there could be a conflict between the two policies, SP 6 and SP8, as Policy SP8 countenances situations where the community facility could be lost, but there is a general presumption against the loss of local green space set out in Policy SP 6.. I will be recommending that these three</p>	To avoid conflict between policies within the SPNP and in compliance with the basic conditions.

APPENDIX 1

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			<p>areas be removed from the policy so there is no conflict and they are still protected to a higher level.</p> <p>Figure 15 shows 21 facilities but the policy shows only 20, as it does not list Giles Wood but that would fall under the above category, which is protected as local green space and should not be added to the policy.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend list of community facilities text within Policy SP8 as follows: <p>“Existing community facilities (shown on Figure 15):</p> <ol style="list-style-type: none"> Boater Facilities Seend Primary School Campsite Shop within Devizes Camping and Caravan Site Cleeve House Tennis Courts Post Office / Shop Holy Cross Church Seend Methodist Chapel The Lye Field Cemetery at Holy Cross WI Allotments Parish Council Allotments Picnic Site 11. 11. Playground 12. 12. Communtiy Centre 13. 13. Irene Usher Memorial Pavillion 14. 14. WI Hall 15. 15. The Brewery Inn 16. 16. The Barge Inn 20. 17. The Three Magpies” 	

APPENDIX 1

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R15	N/A	Page 43, Figure 15	<p><u>WILTSHIRE COMMENT:</u></p> <p>To ensure consistency with the changes to Policy SP8 outlined in R14 above, Figure 15 will need to be updated. Currently Figure 15 shows 21 community facilities, while the modifications will mean that only 17 will need to be shown.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Remove the following facilities shown on the map and key of Figure 15: '11 WI Allotments', '12 PC Allotments', '13 Bowerhill Residents Association Garden' and '15 Giles Wood'. Re-number in line with the recommendations in R14 above. 	Consistency between policy and explanatory mapping.
R16	15	Page 46, Policy SP10	<p><u>EXAMINER COMMENT:</u></p> <p>Wiltshire Council recommended a small change to correct a grammatical error in the wording of Policy SP10 which I will make.</p> <p>The test in (v) namely that residential amenity of neighbouring properties should be "maintained" is the correct test, as it implies that their amenity should be unchanged. I believe that more appropriate test in a development management context, is that the amenities should not be adversely affected so as no longer enjoy a good standard of amenity.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text within Policy SP10 as follows: <p>"Applications for residential development in Seend Parish that is are proposed in accordance with the Rural Exception Sites policy of Wiltshire Local Plan will be supported in principle, in the following circumstances:</p>	Correction of a typo and for the purpose of clarity.

APPENDIX 1

Modifications required to be made to the draft Seend Parish Neighbourhood Plan (2020 – 2030) (submitted August 2020) in response to the Examiner's recommendations and to correct errors

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			<p>i. where it clearly meets the properly evidenced eligible need as demonstrated by the Seend Parish Rural Housing Needs Survey (2019), or successive Housing Needs Assessments;</p> <p>ii. where the proposed scheme is led by the community through a community interest group (e.g. the Seend Community Land and Asset Trust) or where the applicant is working in partnership with a registered housing provider and supported by the community;</p> <p>iii. where the proposal is within, adjoining or well related to settlements in the Parish;</p> <p>iv. where a site is located at the edge of a settlement, and it demonstrates a sensitive settlement edge between the built environment and the surrounding landscape as set out in the Seend Parish Character Statement (2020);</p> <p>v. where the residential amenity of nearby properties is maintained not significantly adversely affected; and,</p> <p>vi. where use of sustainable transport modes, including walking and cycling are facilitated. Links to the Seend Parish 'Community Hub' and the Parish Primary School via the existing footpath network should be made where possible.</p> <p>Appropriate account of other environmental constraints should be taken including biodiversity and archaeology."</p>	
R17	N/A	Page 47, paragraph three	<p><u>WILTSHIRE COMMENT:</u></p> <p>Reference is made to the Future Projects section towards the end of paragraph three of page 47, where it should be referenced to page 55 although this page number may change when the plan is modified.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Update page number reference to the Future Projects section. 	For the purpose of clarity.

APPENDIX 1

Modifications required to be made to the draft Seend Parish Neighbourhood Plan (2020 – 2030) (submitted August 2020) in response to the Examiner's recommendations and to correct errors

Reference number	Page in Examiner's Report	Related SPNP page / section	Recommendation and proposed modification	Reason for modification
R18	15	Page 48, Policy SP11	<p><u>EXAMINER COMMENT:</u></p> <p>I was initially concerned that the policy, as drafted, was too vague as it referred to “small” or “very modest” numbers of housing. That would not allow the policy to be used with confidence by a decision maker. Wiltshire Council recommended the use of the definition of <i>minor</i> development which would allow schemes of up to (and including) 9 units. The Parish Council in its response to my Initial Comments document stated that it agreed to that suggestion.</p> <p>I would add that the definition of brownfield sites is not limited to those that are “suitable for reuse”, as this would introduce uncertainty as to whether a site was considered a suitable brownfield site and does not stipulate what criteria would be used to differentiate between suitable and unsuitable sites. The NPPF, for example in paragraph 84, just refers to brownfield sites when considering their role in supporting a prosperous local rural economy. Similarly, Wiltshire Council in the local plan refers to the reuse of previously developed land without any caveats. I also agree with the comments of Wiltshire Council that it would be more appropriate for the plan to use the definition of infill development as set out in the local plan rather than included on the Planning Portal website.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text within Policy SP11 as follows: <p>“Proposals for improved local employment opportunities, ‘small’ or ‘very modest’ numbers of housing housing developments of up to, and including 9 units and/or new services and facilities that contribute to the continued and sustainable growth of the Parish will be supported in principle provided that development:</p> <p>i. accords with the limits of development provisions of Wiltshire Core Strategy Core Policy 2;</p>	To ensure clarity and consistency with national policy and guidance.

APPENDIX 1

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			<p>ii. is to be delivered as a rural exception site in line with Neighbourhood Plan policy SP10 and Wiltshire Core Policy 44; or,</p> <p>iii. is a re-use of suitable brownfield land within the rest of the Parish area.</p> <p>iv. is not located in the open spaces and large gardens identified in the Seend Conservation Area Strategy which would detract from the distinct open grain of Seend Village.”</p>	
R19	N/A	Page 49, paragraph two	<p><u>WILTSHIRE COMMENT:</u></p> <p>To ensure consistency with the changes set out in relation to Policy SP11, the definition of Infill development will need to be amended.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text within paragraph two on page 49 of the plan as follows: <p>“Infill development is defined as ‘the development of a relatively small gap between existing buildings’ by the Planning Portal. <u>as the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling by paragraph 4.34 of the Wiltshire Core Strategy 2015.</u> Brownfield land is defined by the NPPF as land that has been ‘previously developed’; this definition excludes agricultural or forestry buildings and gardens. Local planning authorities, including Wiltshire Council, are required to publish a brownfield land register for their area which sets out previously developed land that a local planning authority considers suitable for residential development. Whether a brownfield is considered ‘suitable’ will be decided by Wiltshire Planning officers taking into account considerations such as biodiversity, highways and identified local needs.”</p>	To ensure consistency with Local Plan policy.

APPENDIX 1

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R20	16	Page 51, Policy SP13	<p><u>EXAMINER COMMENT:</u></p> <p>The ability to set energy efficiency targets is limited to only local plans, as set out by the Secretary of State in the same Written Ministerial Statement. Matters relating to reducing the carbon footprint of new dwellings is being taken forward by the government, at a national level particularly through the Building Regulations (particularly Part L). It has recently issued a response to the Future Homes Standard consultation which confirmed the actions that are being taken forward to address this in line with international obligations.</p> <p>I will therefore recommend that consideration iii be removed. That would not meet the basic conditions.</p> <p>In terms of the specific requirements set out in the policy I have no comments to make except following the logic of the above paragraph, I will change the emphasis that these measures are to be encouraged rather than being a key consideration in whether permission should be approved or refused.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text of second paragraph and associated points within Policy SP13 as follows: <p>"The design and standard of any new development in the Parish should aim are encouraged to meet a high level of sustainable design and construction and be optimised for energy efficiency, targeting zero carbon emissions. Key considerations that should can be demonstrated in a planning application include (but are not limited to):</p> <p>i. how green infrastructure is maximised to sequester carbon such as through the planting of trees and habitat enhancement;</p>	To meet the basic conditions.

APPENDIX 1

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			<p>ii. how the location, layout, or connections to sustainable transport and active travel opportunities, minimises the need to travel by private vehicle;</p> <p>iii. that all reasonable steps to minimise energy use and maximise energy efficiency have been taken;iv.</p> <p>iii. how renewable energy generated on-site is maximised taking into account local amenity, character and, where relevant, historic character;</p> <p>iv. how on-plot parking spaces and/or garages can provide appropriately located charging technology for low emission vehicles, such as an electric car charging point.</p> <p>v. v. appropriate mitigation and adaptation to increasingly extreme weather events, such as surface water flooding.”</p>	
R21	16	Page 53, Policy SP14	<p><u>EXAMINER COMMENT:</u></p> <p>I will be recommending that those areas of local concerns regarding traffic conditions in the parish are covered by the non-statutory Projects List section of the plan. Reference to these documents and the local concerns can be included in the supporting text.</p> <p>An applicant is only required to address measures that are as a result of the impact of the development being proposed rather than responding to issues surrounding existing conditions.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> Amend text within Policy SP14 as follows: <p>“Where appropriate, development proposals should be supported by a Transport Statement or Assessment which sets out details of the transport issues relating to the development, including the measures that will be taken to deal with the mitigate any road safety or any significant traffic impact of the scheme and offer opportunities to improve the pedestrian and cycle connectivity.</p>	For the purpose of clarity.

APPENDIX 1

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			<p>The impact of new development on road safety should be given appropriate consideration with reference to the Seend Road Safety Initiative Report (2017) and the Seend Parish Neighbourhood Plan Traffic Report Review (2020) which identify issues of concern to the community. Key road safety concerns include:</p> <p>a. A lack of safe road crossing points / refuges b. Traffic speed and volume c. Lack of safe pedestrian and cycle routeways."</p>	
R22	N/A	Page 53	<p><u>WILTSHIRE COMMENT:</u></p> <p>Following the examiners comments in relation to Policy SP14 at recommendation R21 above, paragraph two of Policy SP14 should be moved to the supporting text.</p> <p><u>REQUIRED MODIFICATION:</u></p> <ul style="list-style-type: none"> The removed second paragraph text of Policy SP14 should be placed in the Explanation sub section supporting text on page 53. <p><u>"The impact of new development on road safety should be given appropriate consideration with reference to the Seend Road Safety Initiative Report (2017) and the Seend Parish Neighbourhood Plan Traffic Report Review (2020) which identify issues of concern to the community. Key road safety concerns include:</u></p> <p><u>a. A lack of safe road crossing points / refuges</u> <u>b. Traffic speed and volume</u> <u>c. Lack of safe pedestrian and cycle routeways."</u></p>	For the purpose of clarity.

APPENDIX 1

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R23	N/A	Whole document	<p><u>WILTSHIRE COUNCIL COMMENT:</u></p> <p>The final SPNP to be published for the purposes of the referendum, will need make consequential changes to paragraph numbers, contents page, appendices, formatting etc as necessary as a result of all changes listed above.</p> <p>It will also be important to ensure that supporting documents are available and can be read alongside the SPNP.</p> <p><u>REQUIRED MODIFICATIONS:</u></p> <ul style="list-style-type: none"> • Make consequential changes to paragraph numbers, contents page, appendices, formatting etc as necessary as a result of all changes listed above. • Include hyperlinks in text or using footnotes throughout the SPNP where supporting documents produced for the purpose of the SPNP are reference. 	For precision, as a consequence of the proceeding modifications.