

Calne Community Development Plan 2 2023-2038

**A report to Wiltshire Council on the Calne
Community Neighbourhood Plan 2**

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Executive Summary

- 1 I was appointed by Wiltshire Council in July 2024 to carry out the independent examination of the first review of the Calne Community Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 16 September 2024.
- 3 The Plan is an excellent example of a neighbourhood plan review. It seeks to bring the Plan up-to-date. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It proposes a series of new Local Green Spaces.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Calne Community Neighbourhood Plan 2 meets all the necessary legal requirements and should proceed to referendum.
6. I recommend that the referendum area coincides with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
20 November 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Calne Community Neighbourhood Plan First 2 2023-2038 ('the Plan').
- 1.2 The Plan was submitted to Wiltshire Council (WC) by Calne Town Council and Calne Without Parish Council (the QBs) in their capacity as the qualifying bodies responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021 and 2023. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan (and a review of a plan) can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and setting in the wider landscape and safeguard employment and community facilities in the Plan period.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by WC, with the consent of the QBs, to conduct the examination of the Plan and to prepare this report. I am independent of both WC and the QBs. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 42 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 The examination process for the review of a 'made' neighbourhood plan is set out in Section 3 of this report.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Design Guidelines and Codes
- the WC SEA/HRA screening reports.
- the QB's Modification Statement.
- the WC Modification Statement.
- the representations made to the Plan.
- the QB's responses to the clarification note.
- the adopted Wiltshire Core Strategy.
- the adopted Wiltshire Housing Site Allocations Local Plan
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 16 September 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of the representations and the professional way in which the Plan has been developed.

The examination process for the review of a neighbourhood plan

3.4 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

3.5 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing

design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or

- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

3.6 The QBs have considered this issue. They conclude that the proposed changes to the 'made' Plan fall into the third category. WC has also undertaken a separate assessment of the issue. It takes the same view as the QBs on the scale and nature of the modifications to the policies in the 'made' Plan. I have considered the two statements very carefully. I have concluded that the review of the Plan includes material modifications which change the nature of the Plan and which would require examination and a referendum. The examination has proceeded on this basis.

3.7 Section 7 of this report assesses each policy in turn and identifies any modifications required to ensure that the policy meets the basic conditions. My recommendation is then set out in Section 8.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the QBs prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is a good example of a Statement of this type. It sets out key findings in a concise report which is underpinned with a series of more detailed tables and appendices. It also sets out the way in which the QBs engaged with statutory organisations.
- 4.3 Part A of the Statement records the various activities that were held to engage the local community. The process reflects the nature of the review of the 'made' Plan. Section 2 comments about the approach taken and identifies the specific consultation undertaken on the Housing Needs Survey, the identification of additional Local Green Spaces, and the work on Local Heritage Assets. Paragraph 2.47 of the Statement lists the general events which were organised to engage the local community.
- 4.4 Part B of the Statement provides specific details on the consultation processes that took place on the pre-submission version of the Plan (February to March 2024).
- 4.5 The QBs have separately supplied schedules which identify the way in which both the policies and the supporting text have been revised as an outcome of the consultation feedback on the pre-submission Plan. This helps to advise how the Plan has evolved.
- 4.6 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I have concluded that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. WC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.7 Consultation on the submitted plan was undertaken by WC. It ended on 13 August 2024. This exercise generated representations from the following organisations:

- Wiltshire Council
- Robert Hitchins Limited
- Natural England
- Chippenham Town Council
- National Highways
- Ministry of Defence

- Castlewood Property Ventures Limited
- Canal and River Trust
- Historic England
- Swift Group

4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, this report refers to representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parishes of Calne and Calne Without. It was designated as a neighbourhood area on 6 May 2014. The neighbourhood area is approximately seven miles to the east of Chippenham. As the Plan advises, housing in Calne and Calne Without has developed rapidly and this has caused the population to increase from 20,070 in 2011 to 22,455 in 2021. On this basis, Calne is now the fourth largest town in the County.
- 5.2 As the Plan describes, the neighbourhood area is a wide rural area surrounding, and including the town of Calne. It has a diverse character which includes ancient woodlands, part of the wider North Wessex Downs National Landscape area, and the River Marden Valley which is home to a wide range of flora and fauna, and flows through and connects across landscapes and through the town.
- 5.3 Calne is an important town in the County, based along the London to Bath Road (A4). Its historic core is a designated Conservation Area. The town centre provides a range of retail and commercial facilities. The northern part of the town off Oxford Road includes a concentrated range of employment uses. The Castlefields Canal and River Park is located to the immediate west of the town centre and provides extensive recreational and informal leisure facilities for the wider area. The other built development in the neighbourhood area is in Derry Hill/Studley to the west of Calne off the A4.

Development Plan Context

- 5.4 The Wiltshire Core Strategy (WCS) was adopted in January 2015. It defines the spatial vision for the whole of the administrative area of Wiltshire Council and sets out a development strategy to meet its objectives. It includes strategic planning policies to guide and control the overall scale, type and location of development including the allocation of strategic sites.
- 5.5 The neighbourhood area is part of the defined Calne Community Area. The Community Area identifies Calne as a Market Town and Derry Hill/Studley as a Large Village. Core WCS Core Policy 8 sets out the strategic growth requirements for the Community Area. The WCS advises about its intentions for the Community Area as follows:

‘The strategy for Calne is to ensure that housing growth is carefully balanced with job creation and town centre improvement. A relatively high level of growth has been suggested for Calne in the past to help facilitate the delivery of an eastern distributor road to alleviate town centre traffic. However, the scale of growth needed to deliver such a new road now would be higher than is appropriate for the town. The actual level of growth proposed is on a more organic scale and would not support the provision of this significant infrastructure. As a large proportion of development has already come forward in the plan period, future development during the remainder of the plan period should be phased to ensure that infrastructure and employment provision appropriately supports development in the town (paragraph 5.39).

The strategy for Calne will help to maintain the economic base in the town with mixed growth of employment alongside housing, thus improving the self-containment of the settlement. Any proposed strategic housing and employment allocations to be identified to the east of Chippenham will support the spatial strategy for Chippenham but may be located within the Calne Community Area. The strategy will respond to the Community Area's location (in full or part) within a nationally designated landscape. In the Calne Community Area this includes the North Wessex Downs Area of Outstanding Natural Beauty. It will deliver, within the overall objective of conserving the designated landscape, a modest and sustainable level of development (paragraph 5.40).'

- 5.6 WC adopted the Wiltshire Housing Site Allocations Plan in February 2020. Whilst that Plan allocated several housing allocations across Wiltshire, it did not allocate sites in the neighbourhood area.
- 5.7 WC is now well advanced in the preparation of a Local Plan review. It will set out a vision for the future of Wiltshire up to 2038. Consultation took place on the Regulation 19 version of the Plan between September and November 2023. It is anticipated that the Plan will be adopted in Spring 2025. The submitted neighbourhood plan advises that at the time of its pre-submission version it had chosen an end date of 2036 to accord with the housing figures for the individual settlements at that point in the emerging Local Plan Review. However, it goes on to comment that it was appropriate to revise its Plan period to 2038 to reflect the emerging housing figures for the individual settlements as set out in the emerging Local Plan Review. This is best practice.
- 5.8 The emerging Local Plan includes three important policies for the neighbourhood area:
- Policy 9 Calne Market Town – a broad policy setting out the future of the town;
 - Policy 10 Land off Spitfire Road – an allocation of 2.7 ha of land for employment use; and
 - Policy 11 Land north of Spitfire Road – an allocation of approximately 570 dwellings, a local centre, a nursery, and employment land for office use.
- 5.9 The submitted Plan has been prepared within its up-to-date development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Visit to the neighbourhood area

- 5.10 I visited the neighbourhood area on 16 September 2024. I approached it from Royal Wootton Bassett to the north. This helped me to understand its position in the wider landscape in general and its accessibility to the strategic road network.
- 5.11 I looked at the parts of the neighbourhood area that are most affected by the policies in the Plan. I paid particular attention to the proposed new local green spaces, and with

a particular focus on those which had attracted representation. I looked in detail at the Castlefields Canal and River Park and the Pocket Park.

- 5.12 I saw the importance of the various community and commercial facilities in the town centre. I also appreciated the historic buildings in and around the Conservation Area.
- 5.13 I took the opportunity to look at the outlying hinterland (Calne Without). I saw the significance of Derry Hill/Studley as Large Village and the facilities which it provided.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Calne Community Neighbourhood Plan 2:
- a plan-led system - in this case the relationship between the neighbourhood plan, the Wiltshire Core Strategy, and the Wiltshire Housing Site Allocations Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF

indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It updates the Plan to take account of changes in national policy and emerging local policies since it was made. In addition, it responds positively to the national agenda to secure good design through the development management process.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan include a package of policies for retail and commercial development (Policies WS1-4). In the social dimension, it includes policies on local green spaces (Policy NE1), community facilities (Policy CF1), burial space (Policy CF3), sustainable travel (Policy GA3), neighbourhood centres (Policy WS5) and housing types and mix (Policies H2-5). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on sustainable construction (Policy C2), biodiversity (Policy NE2), design (Policy BE1), and on heritage assets (Policy BE2). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in Wiltshire in paragraphs 5.4 to 5.9 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, WC undertook a screening exercise in March 2024 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan is unlikely to have a significant effect on the environment and therefore does not require a Strategic Environment Assessment.

Habitats Regulations Assessment

- 6.15 WC prepared a Habitats Regulations Assessment (HRA) of the Plan in July 2024. It assesses the potential impact of the Plan's policies on a series of protected sites. The Assessment is thorough and comprehensive.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.19 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns about neighbourhood plan obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan and national regulations.

Human Rights

- 6.20 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.21 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and the QBs have spent time and energy in identifying the issues and objectives that they wish to be included in the review of the Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all the policies in the Plan. It highlights the policies which are updated from the made Plan and those which are new.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial parts of the Plan

- 7.8 The Plan is well-organised and presented. It makes an appropriate distinction between the policies and their supporting text. The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. In addition, the Plan is arranged in an attractive way and makes good use of maps, photographs, and colour.
- 7.9 These sections of the Plan also identify the neighbourhood area and the Plan period.
- 7.10 The initial parts of the Plan set out its vision and objectives. The vision is as follows:

'The Calne Community Area will continue to be a welcoming and vibrant place with improved access to facilities and amenities for a community with diverse needs. Improved local employment opportunities, enhanced infrastructure, access to quality and affordable housing and the ability to move around the area using active and sustainable transport will be supported.

The beauty of an outstanding landscape will be enhanced and provide diverse habitats for wildlife. Any growth will be from sustainable development that addresses climate change, while mitigating for the effects already being felt.

The valued and visually appealing characteristics of the hamlets, villages, and the town of Calne will be retained, while allowing for innovative and imaginative additions to both the built and natural environments.'

7.11 A key success of the Plan is the way in which it is arranged (and colour-coded) around the following key themes:

- Climate Change and Sustainable Development;
- Natural Environment;
- Built Environment;
- Community Facilities;
- Getting Around;
- Working and Shopping; and
- Housing and Infrastructure.

This helps all concerned to navigate their way through the Plan.

7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

General comments on the Plan and the format of its policies

7.13 The Plan is a first-class example of a review of a neighbourhood plan. It helpfully consolidates the review of the Plan into the structure of the 'made' Plan. This results in a series of new policies and the retention of existing policies in the 'made' Plan. The review of the Plan is supported by appropriate research and evidence.

7.14 For the purposes of this report, I do not comment in detail on the retained policies other than where they may have been affected by updates in national planning policy. In some cases, I have recommended modifications to the wording of policies in the made Plan to reflect the approach and language now taken in neighbourhood plans (and which has matured since the Plan was made).

7.15 The QB's Modifications Statement helpfully identifies which policies are new and which are modified. I have used its summaries to provide a context to each policy.

Climate Change and Sustainable Development Policies

Policy C1 – High Quality Sustainable Development in the Calne Area

7.16 This is a new policy. It sets out the criteria which each development proposal should seek to address. It also sets the scene for a proactive approach to sustainable development.

7.17 The policy takes a very positive approach to sustainable development and provides a context for the remainder of the Plan. I recommend that the wording used in the policy is modified so that it is more appropriate to a neighbourhood plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the second part of the policy replace ‘must’ with ‘should’

Policy C2 - Sustainable Construction

- 7.18 This is a new policy. It has been designed to contribute to the achievement of sustainable development and it encourages highest possible standards of energy efficiency and low/zero carbon energy.
- 7.19 The Plan sets out the context to the policy and advises that reducing greenhouse gas emissions from the built environment is essential to contribute to both the Wiltshire and local level ambitions of achieving carbon neutrality by 2035. It advises that the QBs want to see buildings that are more energy efficient, that place a lower burden on energy supply (such as by using air source heat pumps and insulation) and generate renewable energy contributing to tackling the climate crisis as well as keeping down energy bills in people’s homes which is critical as we are now facing a cost-of-living crisis. The approach taken is underpinned by the Climate Change and Sustainability Topic Paper.
- 7.20 In general terms the policy takes a positive approach to these matters and has regard to Section 14 of the NPPF. In addition, its non-prescriptive approach has regard to Written Ministerial Statement Planning: Local Energy Efficiency Standards of December 2023.
- 7.21 I recommend that the four elements of the policy are recast so that they have the clarity required by the NPPF and can be applied through the development management process. The recasting of the elements also incorporates a proportionate element (where appropriate) and commentary on the practicability and the viability of achieving the requirements in the policy. In other cases, the unnecessary explanatory text does not feature in the recast elements of the policy. In recommending the modifications, I have taken account of the representation from Castlewood Property Ventures Limited.
- 7.22 I also recommend consequential modifications to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace part a) with: ‘Development proposals should be designed to reduce greenhouse gas emissions in their operation through the Energy Hierarchy. Wherever practicable and commercially-viable, development proposals should be designed to achieve net zero carbon in operation (as defined by industry best practice).’

Replace part b) with: ‘Development proposals should also consider the impact of embodied carbon from the demolition and construction processes. Where appropriate, the re-use and re-purposing of existing buildings should be incorporated in proposals, particularly those which involve buildings of a traditional rural nature. As appropriate to their scale, nature and location development proposals should demonstrate the way in which the substructure, superstructure and external materials have been designed to achieve low-carbon solutions.’

Replace part c) with: ‘As appropriate to their scale, nature and location, development proposals should incorporate measures to adapt to climate change impacts such as overheating, flood risk and water scarcity. Nature-based solutions will be particularly supported.’

Replace part d) with: ‘As appropriate to their scale, nature and location, development proposals should include measures to encourage more sustainable transport choices by reducing the need for trips, making trips by active travel or public transport. and supporting the transition from the internal combustion engine as set out in Policy GA3.’

At the end of paragraph 3.4.5 add: ‘Part a) of Policy C2 comments about the importance of new developments being designed in the context of the Energy Hierarchy. The hierarchy takes a sequential approach. Firstly, it advises that development should seek to reduce energy demand through passive measures such as orientation and fenestration arrangements; and fabric first measures such as high levels of insulation and lighting. Thereafter low-carbon, electrified solutions for space and water heating are encouraged that are highly efficient such as heat-pumps. Finally, renewable technologies such as roof mounted solar PV is supported to help meet regulated and unregulated energy demand.’

Policy C3 – Retrofitting the Existing Built Environment

- 7.23 This is a new policy. The Plan comments that the retrofitting of existing buildings and places is an important topic as people seek to reduce their energy demand and carbon footprints in existing buildings.
- 7.24 In general terms the policy takes a positive approach to these matters and has regard to Section 14 of the NPPF.
- 7.25 I recommend that the first part of the policy is recast so that it relates to development management process and makes distinction between heritage and other properties. I also recommend that the second part of the policy is recast so that it includes a proportionate element.
- 7.26 I am satisfied that the third part of the policy is appropriate. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the first part of the policy with:

‘Development proposals for retrofitting measures to existing buildings (including for historic buildings) to address climate change will be supported where the impact of the proposals responds positively to the character of the building concerned, including where appropriate its significance as a heritage asset.’

Replace the second part of the policy with:

‘As appropriate to their scale, nature and location, development proposals should have regard to the principles of sustainable construction set out in policy

C2, and seek to reduce operational carbon as far as practicably possible in the buildings whilst minimising embodied carbon impacts. Works that improve sustainable travel options including active travel and electric vehicles will be supported. In addition, development proposals that seek to address climate change adaptation needs (especially with a focus on nature-based solutions) covering overheating, water scarcity, flood risk, wind and wildfires will be supported.'

Policy C4 – Calne Community Energy

- 7.27 This is a new policy which supports local ambitions to deliver renewable community energy. It is commendably ambitious
- 7.28 I recommend modifications to ensure that it can be applied through development management process and to remove unnecessary supporting text. The recast policy becomes a criteria-based policy
- 7.29 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'Community-owned renewable energy schemes (including stand-alone energy developments and storage) which benefit the local community will be supported where they:

- **demonstrate community support;**
- **incorporate administrative and financial structures to deliver and manage the energy scheme;**
- **demonstrate local energy self-sufficiency through integration into the local grid or by other means; and**
- **can be satisfactorily accommodated in the local environment, and respect the amenity of any residential properties in the immediate locality.'**

Natural Environment Policies

Policy NE1 – Local Green Space

- 7.30 This policy has been updated to identify additional areas of green space that are considered to meet the criteria for Local Green Space (LGS) designation.
- 7.31 Details about the proposed additional LGSs are set out in the Local Green Spaces Report. The spaces are assessed against the various criteria for such designations in the NPPF. The Report is exemplary in both its presentation and detail. The QBs have highlighted the Castlefields Country Park (2.16) and the Pocket Park (2.18) for specific commentary about the way the two proposed areas were assessed and considered.
- 7.32 I looked at the LGSs carefully during the visit. I saw that they are very different in their scale and characters. I comment below on the proposed LGSs which have attracted

interest in the most recent consultation exercise or where the QBs have grappled with the issues involved.

Castlefields Country Park (LGS 2.16)

- 7.33 Castlefield is an important open space to the west of the town centre. It has a series of recreational, historic and wildlife characteristics. At 50 ha it is the largest of the proposed LGSs.
- 7.34 It is common ground that the proposed LGS meets the proximity and demonstrably special tests (criteria a and b respectively). in paragraph 106 of the NPPF.
- 7.35 The QBs consider that the proposed LGS is local in scale and not an extensive tract of land (NPPF paragraph 106c). I have considered this matter very carefully both generally, and as the proposed LGS is considerably larger than areas considered to be local in character by examiners. On the balance of the evidence, I am satisfied that the Castlefields Country Park is local in character. I have reached this conclusion for three reasons. The first is that it has an important role throughout the neighbourhood area and occupies a small proportion of its overall area. The second is that the Park operates as a whole and its subdivision into smaller (or more important) areas for LGS purposes would be impracticable. The third is that its designation does not conflict with Planning Practice Guidance (ID: 37-015-20140306) which advises that ‘blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a back door way to try to achieve what would amount to a new area of Green Belt by another name’. As I saw during the visit, the Country Park is a managed space for the local community and not open countryside. In addition, the open spaces and the other facilities have been nurtured and safeguarded over time for the well-being of the community.
- 7.36 I am also satisfied that the proposed LGS meets the more general criteria in paragraph 105 of the NPPF.

Pocket Park (LGS 2.18)

- 7.37 The LGS Report comments about the role and popularity of the Pocket Park. I saw its attractiveness and use during the visit.
- 7.38 I am satisfied that the proposed LGS meets the three tests in paragraph 106 of the NPPF. In reaching this conclusion I have considered the comments of WC on this matter.
- 7.39 I have considered the extent to which the proposed LGS meets the more general criteria in paragraph 105 of the NPPF. In its representation WC comments that:

‘It does not support the proposed LGS designation of the Pocket Park and Community Garden. The current use was established on the clear understanding that it would be on a temporary basis. To permanently designate this space, on the basis of that temporary use, is contrary to the clearly expressed intentions of the Council. It is demonstrably not a green space, being wholly paved; and, therefore, fails in terms of the criteria set out at page 39 of CCNP2.’

7.40 On the balance of the evidence, I am not satisfied that the proposed LGS is capable of enduring beyond the Plan period. WC does not support the designation of the proposed LGS and can terminate the lease of the Pocket Park based on the terms of the relevant contract.

7.41 On this basis, I recommend the deletion of the proposed LGS.

WC Amenity Areas

7.42 The Plan proposes a series of LGS which are green amenity areas in residential areas. WC (in its capacity as landowner of the sites concerned) has objected to the designation of LGS 2.12, 2.13, 2.19 and 2.20). Its representation suggests that they could be used for affordable housing. I looked at the four sites carefully during the visit.

7.43 In its response to the clarification note, WC advised that there are no plans at the present time to build affordable homes on the four LGS.

7.44 I am satisfied that the four proposed LGSs meet the three criteria in paragraph 106

7.45 I am also satisfied that the four proposed LGSs meet the tests in paragraph 105 of the NPPF. They are established parts of the town and WC has no current proposals for their redevelopment. On this basis it is reasonable to conclude that they will endure beyond the end of the Plan period.

The policy

7.46 I am satisfied that the policy takes the matter-of-fact approach as applied in paragraph 107 of the NPPF. The policy will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete LGS2.18 Pocket Park and Community Garden from Table 1

Delete LGS2.18 Pocket Park and Community Garden from Figure 3

Policy NE2 – Biodiversity

7.47 This is an updated policy. It references Biodiversity Net Gain, in line with national legislation (Environment Act 2021) and the recent updates to the NPPF. It adds local detail to the national and Wiltshire context by referencing to important local species and habitats as detailed in an accompanying Topic Paper, as well as the Calne Area Design Guidelines and Codes which contains detail to enable policy implementation.

7.48 The policy addresses biodiversity in a very positive way. I also recommend that the opening element of the policy is recast so that it has a proportionate approach. Otherwise, the policy would be unduly onerous on minor and domestic proposals if applied in a matter-of-fact way through the development management process. In addition, I recommend that part 1a (on biodiversity net gain) is deleted. It is unnecessary given that the matter is now addressed in national legislation. However, I recommend that this explanation is incorporated in the supporting text.

7.49 I also recommend other modifications to the wording used elsewhere in the policy to bring the clarity required by the NPPF. Otherwise, the policy meets the basic

conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the first part of the policy with:

‘As appropriate to their scale, nature and location, development proposals should protect and, where practicable, enhance wildlife habitats and biodiversity as shown on figures 4 and 5. Where relevant, proposals should demonstrate how the approach in the adopted Design Guide section DC.03 has been applied.

Matters of particular importance include:’

Delete part 1a)

Replace part 1d) with: ‘Major development proposals should demonstrate their contribution to the delivery of local nature recovery objectives in line with Wiltshire Council’s Local Nature Recovery Strategy.’

In the opening part of the second part of the policy replace ‘could’ with ‘would’ and ‘permitted’ with ‘supported’

At the end of paragraph 4.4.5 add: ‘The Environment Act 2021 now requires the delivery of biodiversity net gain for certain types of development at a national level. As such, there is no need for this Plan to address this issue directly. Nevertheless, development proposals in the neighbourhood area which go beyond the minimum 10% biodiversity net gain requirement will be considered very favourably.’

Policy NE3 – Green and Blue Infrastructure

- 7.50 This is a new policy which identifies the existing green infrastructure network. It also references the Calne Area Design Guidelines and Codes which contains detail to enable policy implementation.
- 7.51 In general terms, the policy takes a positive approach to these matters. However, to bring the clarity required by the NPPF, I recommend that the first three parts of the policy are combined into a single part, and that their requirements are applied on a proportionate basis. This will allow WC to apply the policy effectively through the development management process. I also recommend that an element of the submitted policy is repositioned into the supporting text. This acknowledges that it provides advice to developers rather than acting as a land use planning policy.
- 7.52 I recommend that the final part of the policy is recast so that it fulfils its objectives. As submitted a presumption against development would have limited weight in a planning policy context. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first three parts of the policy with:

‘As appropriate to their scale, nature, and location,

- development proposals should demonstrate how the overall Green and Blue Infrastructure Network, as illustrated on figures 5a/b is maintained, protected and where possible extended;
- development proposals should demonstrate how they have been informed by the adopted design guidelines and codes for green networks in section DC.03 of the Design Guidance and Codes; and
- major development proposals should demonstrate the use of Natural England Green Infrastructure Standards including the provision of green infrastructure of appropriate quantity and quality.’

Replace the final part of the policy with:

‘Development proposals that would encroach on or harm a green or blue infrastructure asset will not be supported. Where harm is unavoidable, and the harm is outweighed by the need for the development, the harm must be mitigated in full at an appropriate habitat improvement scheme with a net improvement.’

At the end of paragraph 4.4.7 add: ‘Where relevant, the voluntary use of other standards, such as Building with Nature to support compliance with Policy NE3, will be encouraged.’

Policy NE4 – Trees, Woodland, and Hedgerows

- 7.53 This is a new policy. It identifies trees, hedgerows, and woodland as a key aspect of the local environment which makes an important contribution to wildlife, people and place as well as helping to mitigate the effects of climate change. Specific local detail and targets for future tree canopy coverage are referenced in the policy, and link to a Topic Paper setting out the context and local evidence to support implementation of the policy.
- 7.54 The policy is commendably detailed. In general terms it has regard to Section 15 of the NPPF.
- 7.55 In this broader context, I recommend that the policy is refined to secure a balance between protecting trees and hedgerows of importance on the one hand, and enabling appropriate developments that may require the removal of a number of these features to proceed on the other hand. This involves a recasting of the second and the final element of the fourth part of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the second part of the policy with: ‘Development proposals should ensure that, wherever practicable, other trees and hedgerows are retained and incorporated into their layouts and designs as placemaking features.’

Replace the final element of the fourth part of the policy with: ‘Development proposals should incorporate appropriate measures to secure the long-term maintenance of newly-planted trees, and address the impacts of a changing climate for species selection.’

Policy NE5 – Setting of Calne and Calne Without

- 7.56 This is an updated policy. It closely aligns with the policy in the made Plan, adding detail through a referenced map which illustrates key aspects, and identified specific views which have identified during the drafting of Calne Area Design Guidelines and Codes. These minor updates are intended to enable the implementation of this policy.
- 7.57 This is an excellent policy which responds positively to the character of the neighbourhood area and the location of built development.
- 7.58 I recommend that the opening element of the second part of the policy is recast so that it better expresses its intentions. I also recommend a modification to the word used in part 2c of the policy so that it has a positive rather than a negative focus. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the second part of the policy with:

‘Development proposals in the River Marden Valley should respond positively to the character, appearance, setting, recreational use and tranquillity of the valley including the Castlefields Canal and River Park. Where appropriate, mitigation measures should be incorporated into proposals. As appropriate to their scale, nature and location, development proposals should demonstrate how they:

In 2c replace ‘not prejudice’ with ‘are consistent with,’

Built Environment Policies

Policy BE1 – Design Principles for Local Distinctiveness

- 7.59 This is an updated policy. It references the Calne Area Design Guidelines and Codes to enable policy implementation and the protection and enhancement of local distinctiveness as promoted at a national level.
- 7.60 In general, this is an excellent and distinctive policy which has regard to Section 12 of the NPPF. However, I recommend the deletion of the final sentence of the second part of the policy (on the QB’s commentary about its views on earlier examples of bad design) as its comments are both inappropriate and are not a land use planning policy. I have considered the QB’s response to the clarification note that if deleted the intention of this part of the policy should be repositioned to the supporting text. However, I have not recommended this approach as the comments would be equally inappropriate in the supporting text.

- 7.61 WC comment that the policy should be extended to comment about archaeology and the delivery of public art. Both issues would be useful additions to the policy. However, neither are needed to ensure that it meets the basic conditions.
- 7.62 I have also recommended specific modifications to the fifth part of the policy to bring the clarity required by the NPPF. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete the final sentence of the second part of the policy.

In the fifth part replace 'Policy C2' with 'Policies C2 and C3' and 'must' with 'should'

Policy BE2 – Heritage Assets

- 7.63 This is an updated policy. It adds detail to the policy through a referenced map which illustrates the location of designated heritage assets. It also includes 'locally valued non-designated heritage assets' which have been identified. They have been informed by guidance from Historic England.
- 7.64 The policy takes a positive approach to heritage assets and has regard to Section 16 of the NPPF.
- 7.65 I recommend modifications to the wording of the first part of the policy to bring the clarity required by the NPPF. I also recommend that the final element of the second part of the policy is modified so that it has regard to national policy on heritage assets. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace 'Development will be expected to' with 'Development proposals should'

Replace the final element of the second part of the policy with: 'Proposals which include modifications to buildings in the Conservation Area, or to a listed building or non-designated heritage asset should respond positively to the advice from Historic England (Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency). In accordance with the approach in the NPPF, any harm needs to be weighed against the public benefits of the proposal, where appropriate, including mitigating and adapting to climate change.'

Community Facilities Policies

Policy CF1 – Community Facilities

- 7.66 This is an updated policy. It now provides more locally-specific information as set out in the Neighbourhood Area Facts and Figures paper, and to safeguard specific local community assets.

- 7.67 The update to the policy has been carefully prepared. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy CF2 – Community Infrastructure and Phasing of Development

- 7.68 This is an updated policy. It intends to support the delivery of local infrastructure priorities.
- 7.69 The first part of the policy reads as a statement of intent about how the QBs will spend Community Infrastructure Levy monies in the Plan period. On the balance of the evidence, I am satisfied that it should remain in the Plan, mainly as it provides a context to the second part of the policy. I recommend a modification to the wording used based on WC's comments.
- 7.70 The second part of the policy comments about the way in which development proposals should programme any associated infrastructure requirements. I recommend that it is recast so that it more properly describes its intentions. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In part 1b of the policy replace 'Town or Parish Council' with 'Town or Parish Councils'

Replace the second part of the policy with: 'Development proposals should consider, assess, and address their infrastructure requirements and organise the related programme of work to ensure that the works are co-ordinated and minimise disruption to the community whilst development is taking place. Where appropriate, a detailed construction programme should be submitted with development proposals.'

Policy CF3 – Burial Space

- 7.71 This is a new policy. It reflects a local need for additional burial space. It sets out criteria that would need to be met to support proposals for a burial space.
- 7.72 The policy is underpinned by evidence on local housing and the associated demands for burial space. In general terms, the policy takes a positive approach to this important matter. However, I recommend that it is recast to remove the unnecessary reference to the neighbourhood area and to present the three criteria in a clearer and more structured fashion. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

'Proposals for additional public and non-denominational burial space to meet increased needs and to provide burial choices will be supported where they:

- **meet all the necessary environmental criteria;**
- **safeguard the amenity of neighbouring residents; and**

- **do not cause unacceptable levels of increased traffic and congestion.'**

Getting Around Policies

Policy GA1 – Highway Impact

- 7.73 This is an updated policy. It adds more local detail within the body of the policy and links to a detailed Topic Paper.
- 7.74 In general terms, the policy has been carefully updated and has regard to Section 9 of the NPPF. It takes a proportionate approach and acknowledges that mitigation measures will have the ability to reduce the impact of development proposals which might otherwise be unacceptable.
- 7.75 I recommend a modification to the first part of the policy to replace the reference to community concerns about traffic at key junctions with a more technical approach to the accommodation of traffic. Whilst public comments on the effects of traffic congestions is an important element of the update of the Plan, the wording of the submitted policy is both subjective and impracticable to apply through the development management process. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first paragraph of the first part of the policy replace 'there will be no further detriment to the community's safety concerns in these locations' with 'the increased traffic can be safely accommodated'

Policy GA2 – Public Realm

- 7.76 This is a new policy. It references the Calne Area Design Guidelines and Codes which contains detail to enable policy implementation.
- 7.77 This is a very positive policy. It responds to the character of the neighbourhood area and complements the work undertaken to prepare the Design Guidelines and Codes. I recommend a modification to the first part of the policy so that WC can apply its contents in a proportionate way through the development management process. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace 'Development proposals must' with 'As appropriate to their scale, nature and location, development proposals should'

Policy GA3 – Sustainable Transport and Inclusive Active Travel

- 7.78 This is an updated policy. It adds locally specific detail and links to the Calne Area Transport Strategy (2021) to enable strategy and policy implementation.
- 7.79 In general terms the policy takes a positive approach to sustainable transport has regard to Section 9 of the NPPF.

- 7.80 Robert Hitchins Limited draws attention to the conflict between the second part of the policy and the emerging Local Plan. Policy 11 of the Regulation 19 version of the Local Plan proposes the allocation of land at Spitfire Road for approximately 570 dwellings, local centre, a site of at least 0.3ha for an 80-place nursery, and 0.5ha employment land for office use. This proposed development would not meet all the requirements of the submitted policy.
- 7.81 Planning Practice Guidance (ID:41-009-20190509) provides advice on the relationship between an emerging neighbourhood plan, an emerging local plan, and the existing development plan. I have considered this matter very carefully. On the balance of the evidence, I have concluded that it would be inconsistent for the submitted Plan to include a policy which would conflict with a proposed strategic allocation in the emerging Local Plan. In reaching this conclusion I have noted that the emerging Local Plan is about to be submitted for its own examination.
- 7.82 In this context I recommend modifications to second part of the policy. Criterion a is unnecessarily prescriptive. In any event the proximity to public transport facilities, whilst offering choices, will not necessarily result in an increase in sustainable transport. In the round I am satisfied that a modified policy should remain in the Plan. Whilst it is important that the policies in the two emerging plans are consistent with each other, the neighbourhood plan policy will apply to other (unspecified) development proposals in the Plan period.
- 7.83 I also recommend other modifications to bring the clarity required by the NPPF and to ensure that the policy is appropriately structured. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In part 2 of the policy replace:

- **‘Development proposals’ with ‘Wherever practicable, development proposals’**
- **‘For major development proposals, this shall include:’ with ‘Where it is practicable to do so, and as appropriate to their scale, nature and location, major development proposals should include:’**
- **Part a) with ‘public transport within accessible walking distance of all homes.’**

At the beginning of 2d) add: ‘The delivery of’

At the end of the second part of the policy add as a separate element: ‘Major development proposals that retain and improve existing bus infrastructure, will be supported.’

Policy GA4 – Electric and Ultra Low Emission Vehicles

- 7.84 This is a new policy. It supports the transition to a low carbon future in a changing climate and takes a proactive approach to identifying potential locations for public charging points.

- 7.85 I raised the wording of the first part of the policy with the QBs, and its relationship with the requirements of Part S of the Building Regulations. In its response to the clarification note, the QBs drew my attention to WC's comment on the pre submission version of the Plan as follows:

'Calne has a designated Air Quality Management Area (AQMA) and a high reliance on private vehicle use. As such, the Council suggested that there is clear policy justification for requiring EVC as it will help address air quality. They also suggested that the policy could explicitly require all new major housing developments to have EVC (without the building regulations Part S exemptions) as a result of these particular local circumstances.'

- 7.86 The QBs also drew my attention to the Getting Around Topic Paper.
- 7.87 I have considered this context very carefully. Plainly the QBs are seeking to address a distinctive local issue. However, I am not satisfied that the approach taken in this part of the policy meets the basic conditions. I have reached this conclusion for three related reasons. The first is that the Building Regulations now control this matter and it is not for plan-making authorities to alter their provisions. The second is that the issues experienced in the AQMA stem from a variety of sources, of which private cars is a part. The third is that whilst the provision of EV charging points may encourage the occupants of the house concerned to use an electric vehicle, they do not necessarily guarantee such an outcome. On this basis, I recommend the deletion of the first part of the policy. I also recommend consequential modifications to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete the first part of the policy.

In the second part of the policy replace 'is encouraged; with 'will be supported'

At the end of paragraph 7.6.2 add: 'The Plan encourages appropriate provision of charging infrastructure as one way to reduce our carbon and nitrogen emissions and tackle the climate emergency. Reducing air pollution is essential, particularly in Calne, where the designated Air Quality Management Area serves as a reminder of the unacceptable level of Nitrogen Dioxide and particulates in the air which it is essential to reduce.'

Delete paragraph 7.6.3

Policy GA5 – Parking Provision

- 7.88 This is an updated policy. The Design Guidelines and Codes document provides detail on this topic in section Dc.02 2d. The policy references this updated evidence base material and has been updated to address cycle parking and provision.
- 7.89 The policy has three sections. The first comments that parking proposals should demonstrate a design-led approach to parking provision, harnessing section Dc.02 2d

of the adopted Design Guide. The second and third parts restate WC's standards for car parking provision and cycle parking and storage.

- 7.90 I recommend a modification to the wording of the first part of the policy to bring the clarity required by the NPPF. The recommend modification sets out requirements for development proposals rather than commenting about the outcome of planning applications. This acknowledges that WC will need to consider the full range of development plan policies in determining planning applications.
- 7.91 I recommend that the second and third parts of the policy are deleted as there is no need for the Plan to restate local policies. Nevertheless, I recommend that these elements are repositioned into the supporting text so that developers and residents understand the QBs' approach.
- 7.92 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with: 'Development proposals should demonstrate a design-led approach to parking provision which respond positively to section Dc.02 2d of the adopted Design Guide.'

Replace paragraph 7.7.3 with: There is local concern that Wiltshire's Car Parking Standards are not being applied robustly in new developments, leading to safety and accessibility concerns. The qualifying bodies are clear that Wiltshire's car parking standards must be applied in new developments. Car parking standards are set out in the Wiltshire Car Parking Strategy 2011-2026. The qualifying bodies will provide specific comments to Wiltshire Council on planning applications which do not meet the appropriate car parking standards

At the end of 7.7.4 add 'The qualifying bodies will provide specific comments to Wiltshire Council on planning applications which do not meet these standards,'

Policy GA6– Walking and Cycling for Leisure and Recreation

- 7.93 This is a new policy. It highlights key routes and features and supports the protection and enhancement of the walking and cycling for leisure network.
- 7.94 The policy takes a very positive approach to these matters. The identified routes help to connect Calne Neighbourhood Area's town centre, surrounding countryside, and its local neighbourhoods. Within this broader context I recommend that the opening element of the first part of the policy is modified so that it better expresses its intentions and removes the unnecessary reference to the neighbourhood area. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the first part of the policy with:

'The leisure walking and cycling routes (as shown on figure 12) that connect Calne Neighbourhood Area's town centre, surrounding countryside and its local neighbourhoods will be protected and enhanced to enable and encourage walking and cycling for leisure, health, and wellbeing. The enhancement and

extension of sections of leisure and recreation routes will be prioritised, including:

Working and Shopping Policies

Policy WS1 – Protecting and Promoting Sustainable, Low Carbon Local Employment

- 7.95 This is an updated policy. It seeks to reflect changes in national planning policy and add more detail to the ways in which the local employment offer can be protected and expanded.
- 7.96 The policy has three parts. The first safeguards existing employment land. The second offers support for new and/or expanded employment uses subject to a series of criteria. The third seeks to consolidate the existing opportunities for home working, by supporting proposals to improve the mobile phone coverage and internet connections.
- 7.97 The policy takes a positive approach to these issues and has regard to Section 6 of the NPPF. I recommend a series of modifications to the wording used in the policy to bring the clarity required by the NPPF and to remove the unnecessary reference to the neighbourhood area. In the opening element of the second part of the policy I recommend that the reference to smaller villages is made more general as they do not have settlement boundaries. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the first part of the policy delete: ‘Local Plan policy/’

In the opening element of the second part of the policy delete ‘in the settlement boundaries of’

In part 2c replace ‘Would not adversely impact’ with ‘Would safeguard’

In the third part of the policy replace ‘shall’ with ‘will’ and delete ‘in the plan area’

Policy WS2– Supporting Local Farming and Farm Diversification

- 7.98 This is a new policy. It sets out to support a key local business sector and reflects the rural nature of the neighbourhood area.
- 7.99 The context to the policy is that the vitality of the rural and farming economy in Calne Without is a key factor in providing rural employment opportunities as well as providing stewardship and nurturing of the rural landscape and biodiversity.
- 7.100 In general terms the policy takes a positive approach to this matter and has regard to Section 6 of the NPPF. Within this context I recommend the following package of modifications to bring the clarity required by the NPPF and to allow WC to apply its details through the development management process:
- to acknowledge that some of the proposals captured in the policy may be permitted development;
 - to ensure an appropriate linkage between the policy and its criteria; and

- to reposition a distinct element of criterion g elsewhere in the policy.

7.101 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening sections of the policy with:

‘Insofar as planning permission is required, proposals for small-scale development for business space outside of the Calne and Studley/Derry Hill settlement boundaries for the following uses will be supported:

- for agricultural development; and
- for schemes which would diversify and/or support an existing rural-based business.’

Replace ‘Proposals will only be supported where they:’ with ‘and where they:’

Delete the final sentence of criterion g of the policy.

At the end of the policy add a separate element to read: ‘Proportionate proposals that would increase local employment opportunities through increased employment at Forest Gate Business Park within the current site boundary will be supported.’

Policy WS3 – Supporting the Local Visitor Economy

7.102 This is a new policy. It sets out a local approach to support a key local business sector that is linked to the natural and cultural assets of the Plan area, and beyond.

7.103 In the round, the policy takes a very positive approach to this matter. The first part of the policy helpfully identifies a series of proposals which will be particularly supported.

7.104 I recommend that part 1d) of the policy is recast and repositioned so that it becomes a free-standing second part of the policy. This acknowledges that it addresses a separate issue and is not a continuation of the approach taken in parts 1a) to 1c) of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the first part of the policy add ‘and’ at the end of b) and at the end of c) replace ‘; and’ with a full stop.

Recast part 1d) of the policy so that it becomes a free-standing second part of the policy.

Policy WS4 - Calne Town Centre

7.105 This is an updated policy. As a result of changes to the Town Centre and planning legislation, the 2013 Town Centre Vision and Scoping Study and accompanying Master Plan has been withdrawn by Calne Town Council. An update of objectives for Town Centre protection and enhancement are set out in a map and text within the Plan.

- 7.106 The policy takes a very positive approach to this matter and has regard to Section 7 of the NPPF. It will assist in maintaining and enhancing the vitality and viability of the Town Centre throughout the Plan period.
- 7.107 I recommend a detailed modification to a description used. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In part b of the policy replace ‘(figure 14 and page 106)’ with ‘(Figure 14 and Section 8.7)’

Policy WS5 – Local, Neighbourhood Centres in Calne and Derry Hill

- 7.108 This is an updated policy. It seeks to reflect changes in national planning policy and add local detail and protection for identified village and neighbourhood centres.
- 7.109 The policy takes a positive approach to the role of neighbourhood centres and their importance to the local community. In this broader context, I recommend that the second and third parts of the policy are recast. In relation to the former, the modification simplifies the cross-reference to Policy CF1 of the Plan. In relation to the latter, the modification acknowledges that some proposals for the use of upper floors will be permitted development. The recommended modification to this part of the policy also removes the unnecessary reference to the extent to which upper floors are in use, partial use or are vacant. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the second part of the policy with: ‘Proposals to change the use of floorspace within use class F2 (community facilities) will only be supported where they meet the provisions of Policy CF1 (Community Facilities) of this Plan.’

Replace the third part of the policy with: ‘Insofar as planning permission is required, proposals for the use of floorspace above ground floor frontage units for residential, business (class E) or community uses (Class F2) will be supported where they provide a high quality of self-contained accommodation and will not unacceptably detract from the amenity of existing residents and the viability of the ground floor and neighbouring business uses.’

Housing and Infrastructure Policies

H1 - Housing within Settlement Boundaries

- 7.110 This is an updated policy. It references updates policies and therefore links to the Calne Area Design Guidelines and Codes.
- 7.111 In general terms the policy takes a positive approach to this matter. It will focus new development in sustainable locations close to community and commercial facilities. I note the representation from Castlewood Property Ventures Limited about the emerging Wiltshire Local Plan. Nevertheless, the basic conditions test is against the

adopted Local Plan. In addition, the QBs have indicated a willingness to undertake a further review of the Plan once the emerging Local Plan has been adopted.

7.112 Within this context I recommend the following modifications to bring the clarity required by the NPPF and to correct errors:

- combine criterion a of the policy with a revised opening element;
- revise criterion b to clarify ‘valued’ landscape; and
- insert the missing words into criterion d and to ensure that policy can be delivered through the development management process.

7.113 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening element of the policy with: ‘Housing proposals within defined settlement boundaries of Derry Hill and Studley (Figure 15) and Calne (Figure 16) will be supported where they:’

Delete criterion a

In criterion b replace ‘do not cause harm to the valued landscape setting and green infrastructure of the settlement,’ with ‘do not cause unacceptable harm to the locally valued landscape setting and green infrastructure of the settlement concerned,’

Replace criterion d with: ‘are of a proportionate scale, land-use character, and design that enhances the local character of the settlement or the part of the settlement within which they are located and their details are informed by the Design Guide (as referenced in Policy BE1).’

Policy H2 – Affordable Housing

7.114 This is an updated policy. It reflects the revised evidence base work and links specifically to the 2023 Housing Needs Assessment (HNA). It adds local-level detail to the policy to enable implementation.

7.115 The first part of the policy repeats WC’s general approach towards the amount of affordable housing that should be provided as part of market housing. The second part of the policy comments about the breakdown of affordable housing. On the balance of the evidence, I am satisfied that the first part of the policy should remain in the Plan. It sets a context for the second part.

7.116 I recommend that the second part of the policy is modified so that it is less prescriptive. As submitted the breakdown of affordable housing is mathematical and relies on the HNA. However, housing needs change over time, and developers will be addressing a range of practical and viability matters in bringing sites forward. As WC comment, the existing policy has been difficult to apply through the development management process. The recommend modification removes the unclear and potentially-complicated requirement that any HNAs would need to be validated by WC and the

QBs. The appropriateness of any HNA will be assessed through the development management process on a case-by-case basis.

- 7.117 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the second part of the policy with: ‘Proposals for affordable housing should respond positively to the specific local housing needs identified in the Calne Community Housing Needs Assessment 2022 (AECOM) and provide a mix of affordable housing that is informed by an up-to-date, robust, and local housing needs assessment.’

Policy H3 – Housing Mix

- 7.118 This is an updated policy. It has been revised to reflect the revised evidence base and links specifically to the 2023 Calne Housing Needs Assessment to add local level detail to the policy to enable implementation.

- 7.119 Generally good approach which has regard to Sections 5 and 8 of the NPPF. Within this context, I recommend the following package of modifications to bring the clarity required by the NPPF and to allow WC to be able to apply its provisions through the development management process:

- the introduction of a proportionate element into first part of the policy;
- the removal of the prescriptive nature of the HNA issue in the first part of the policy;
- a revision of the opening element of the second part of the policy to address practicability and commercial viability; and
- detailed revisions to parts 2c and 2d of the policy to ensure a natural flow from the opening element.

- 7.120 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with: ‘As appropriate to their scale, nature and location, residential development proposals should include open market and affordable dwelling types and sizes that address the assessed local needs of the community, informed by an up-to-date, robust, and local housing needs assessment.’

Replace the opening element of the second part of the policy with: ‘Where practicable and commercially-viable, market and affordable housing should incorporate:’

Replace 2c) with: ‘a mix of smaller and single storey housing types to address the need and demand for accessible housing and local downsizing.’

Replace 2d) with: ‘a high standard of internal space which conforms with national residential space standards and Wiltshire Council’s adopted local policies.’

Policy H4 – Housing to meet the needs of Older People and those Living with Disabilities

- 7.121 This is a new policy. It reflects the evidence base work and links the 2023 Calne Housing Needs Assessment which identified the very significantly increased proportion of older people who will continue to be living in the neighbourhood area in the years to 2038 and beyond.
- 7.122 The policy offers support for new or expanded housing for older people including, extra care housing (Class C3) and residential nursing home facilities (Class C2) subject to a series of criteria. The criteria are locally-distinctive.
- 7.123 I recommend modifications to two of the criteria. The first corrects an error. The second provides a greater element of flexibility on the accessibility of such developments to community facilities. This acknowledges that the need for specialist facilities is such that a rigid application of the 10-minute walking criterion would prevent otherwise acceptable proposals being approved.
- 7.124 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In c) replace ‘does’ with ‘do’

In d) replace ‘are located within 10 minutes safe and convenient walk’ with ‘are located within a safe and convenient walk’

Policy H5 – Adaptable and Accessible Housing

- 7.125 This is a new policy. It reflects the revised evidence base and links specifically to the 2023 Calne Housing Needs Assessment.
- 7.126 The policy has two related parts. The first comments about proposals which respond positively to meeting the growing need for housing that enables those living with disabilities and older people in Calne and Calne Without to live actively and inclusively within their local community. The second comments about proposals to modify existing homes to accommodate buildings to provide greater accessibility.
- 7.127 Robert Hitchins Limited comment about the ongoing debate about the delivery of specialist housing as part of the emerging Wiltshire Local Plan.
- 7.128 I recommend that the first part of the policy is recast. As submitted, the policy offers no commentary or reassurances on the impact of the policy on commercial viability. In these circumstances, I recommend that the policy offers support for such development standards but does not require them. The recommended modification takes a general approach towards the delivery of homes to Building Regulations M4(3) standards rather than identifying a specific percentage or mathematical requirement.
- 7.129 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with:

‘Development proposals which respond positively to meeting the growing need for housing that enables those living with disabilities and older people in Calne and Calne Without to live actively and inclusively within their local community, residential schemes will be supported. Proposals for such development which meet enhanced standards of accessibility and adaptability to the standards in the Building Regulations Part M4(2) and/or which meet the needs of people who use a wheelchair in the Building Regulations Part M4(3) will be particularly supported.’

Policy H6 – Rural Exception Sites and Community Led Housing

- 7.130 This is a new policy. It has been added in response to the 2023 Calne Housing Needs Assessment which has provided statistical evidence to demonstrate that it is important that the Plan enables additional opportunities for the delivery of affordable and specialist housing in addition to that secured through developer contributions.
- 7.131 The policy has three related parts. The first addresses rural exception scheme, the second comment about self-build and custom housing and the third comments about proposals with exemplary standards of sustainable construction.
- 7.132 In general terms, the policy has regard to Sections 5 and 8 of the NPPF. In addition, it reflects the findings of the HNA.
- 7.133 I recommend a modification to the wording of the first part of the policy so that it is consistent with the approach taken in Core Policy 44 of the Core Strategy on this matter.
- 7.134 WC advises about the proposed approach towards First Homes in the emerging Local Plan. Nevertheless, the basic conditions test is against the adopted development plan rather than the emerging Plan. This may be an issue to be addressed in any further review of the neighbourhood plan in due course.
- 7.135 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace ‘outside of but adjoining the settlement boundaries of Studley and Derry Hill, and villages in the rural area;’ with ‘adjoining or well-related to the existing settlement boundaries of Studley and Derry Hill, and villages in the rural area;’

Monitoring and Review

- 7.136 Section 10.3 of the Plan addresses the implementation, review, and monitoring in a very positive way. It acknowledges that continual plan review is a fundamental element of the planning system.

7.137 Paragraph 10.3.3 anticipates a further review of the Plan once the emerging Local Plan has been adopted. This is best practice.

Other Matters - General

7.138 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for WC and the QBs to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Other Matters – Specific

7.139 WC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.

7.140 I also recommend the following other modifications to the general text of the Plan based on WC's comments insofar as they are necessary to ensure that the Plan meets the basic conditions. In the main, they bring the Plan up-to-date or correct errors. I use the referencing system used in the WC comments:

- *Policy table (page 23/23) and policy titles*
- *Figures 5b/7/10/15*
- *Paragraphs 9.3.2/9.4.1/9.4.5 (various)/9.4.6*
- *Unnumbered paragraph after 9.4.8*
- *Information Box – Affordable Housing (page 122)*

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2038. It is thorough and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Calne Community Neighbourhood Plan 2 meets the basic conditions for a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report, I recommend to Wiltshire Council that, subject to the incorporation of the modifications set out in this report, the Calne Community Neighbourhood Plan 2 should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the submitted Plan should proceed to referendum based on the neighbourhood area as approved by Wiltshire Council on 6 May 2014.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The responses to the clarification note were both comprehensive and timely.

Andrew Ashcroft
Independent Examiner
20 November 2024