

**TISBURY AND WEST TISBURY NEIGHBOURHOOD PLAN 2017 -  
2036**

**The Report of the Independent Examiner to Wiltshire Council on the Tisbury  
and West Tisbury Neighbourhood Plan**

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10<sup>th</sup> September 2019**

## Summary

I was appointed by Wiltshire Council, in agreement with the Tisbury and West Tisbury Parish Councils, in June 2019 to undertake the Independent Examination of the Tisbury and West Tisbury Neighbourhood Plan.

The Examination has been undertaken by written representations. I visited the Neighbourhood Area on 9<sup>th</sup> July 2019.

The Neighbourhood Plan proposes a local range of policies and seeks to bring forward positive and sustainable development in the Tisbury and West Tisbury Neighbourhood Area. There is an evident focus on safeguarding the very distinctive, largely rural character of the area whilst accommodating future change and growth.

The Plan has been underpinned by extensive community support and engagement. The social, environmental and economic aspects of the issues identified have been brought together into a coherent plan which adds appropriate local detail to sit alongside the Wiltshire Core Strategy (adopted January 2015).

Subject to a series of recommended modifications set out in this Report I have concluded that the Tisbury and West Tisbury Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.

I recommend that the referendum should be held within the Neighbourhood Area.

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## Introduction

This report sets out the findings of the Independent Examination of the Tisbury and West Tisbury Neighbourhood Plan 2017 - 2036. The Plan was submitted to Wiltshire Council by Tisbury and West Tisbury Parish Councils in their capacity as the 'qualifying body' responsible for preparing the Neighbourhood Plan.

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 incorporated within the National Planning Policy Framework (NPPF) in 2012 and this continues to be the principal element of national planning policy. A new NPPF was published in July 2018 (and updated in February 2019) but the transitional arrangements in para 214 Appendix 1 on Implementation apply and thus this Examination is unaffected by the changed NPPF; accordingly all references to the NPPF in this Report are to the original 2012 NPPF document (unless otherwise indicated).

This report assesses whether the Tisbury and West Tisbury Neighbourhood Plan is legally compliant and meets the 'basic conditions' that such plans are required to meet. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text. This report also provides a recommendation as to whether the Tisbury and West Tisbury Neighbourhood Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Tisbury and West Tisbury Neighbourhood Plan would then be used in the process of determining planning applications within the Plan boundary as an integral part of the wider Plan.

## The Role of the Independent Examiner

The Examiner's role is to ensure that any submitted Neighbourhood Plan meets the legislative and procedural requirements. I was appointed by Wiltshire Council, in agreement with Tisbury and West Tisbury Parish Councils, to conduct the examination of the Tisbury and West Tisbury Neighbourhood Plan and to report my findings. I am independent of both Wiltshire Council and Tisbury and West Tisbury Parish Councils. I do not have any interest in any land that may be affected by the Plan.

I possess the appropriate qualifications and experience to undertake this role. I have over 40 years' experience in various local authorities and third sector bodies as well as with the professional body for planners in the United Kingdom. I am a Chartered Town Planner and a panel member for the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). I am a Member of the Royal Town Planning Institute.

In my role as Independent Examiner I am required to recommend one of the following outcomes of the Examination:

- the Tisbury and West Tisbury Neighbourhood Plan is submitted to a referendum;
- or
- the Tisbury and West Tisbury Neighbourhood Plan should proceed to referendum as modified (based on my recommendations); or
- the Tisbury and West Tisbury Neighbourhood Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

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. If recommending that the Neighbourhood Plan should go forward to referendum, I must then consider whether or not the referendum area should extend beyond the Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 Act (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);
- the Neighbourhood 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.

These are helpfully covered in the submitted Basic Conditions Statement and, subject to the contents of this Report, I can confirm that I am satisfied that each of the above points has been properly addressed and met.

In undertaking this examination I have considered the following documents:

- Tisbury and West Tisbury Neighbourhood Plan 2017 - 2036 as submitted
- Tisbury and West Tisbury Neighbourhood Plan Basic Conditions Statement (January 2019)
- Tisbury and West Tisbury Neighbourhood Plan Consultation Statement with Appendices (January 2019)
- Strategic Environmental Assessment for the Tisbury and West Tisbury Neighbourhood Plan (January 2019)
- Tisbury and West Tisbury Neighbourhood Development Plan Habitats Regulations Assessment (HRA) (February 2019)
- Content at: [www.tisplan.org.uk/](http://www.tisplan.org.uk/)
- Content at: [www.wiltshire.gov.uk/planning-neighbourhood-latest-news](http://www.wiltshire.gov.uk/planning-neighbourhood-latest-news)
- Representations made to the Regulation 16 public consultation on the Tisbury and West Tisbury Neighbourhood Plan
- Wiltshire Core Strategy (adopted January 2015)
- National Planning Policy Framework (NPPF) (2012 & 2019)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (PPG) (March 2014 and subsequent updates)

I carried out an unaccompanied visit to the Neighbourhood Area on 9<sup>th</sup> July 2019. I looked at Tisbury and West Tisbury and its rural hinterland. I also viewed the Tisbury Conservation Area and all the various sites and locations identified in the Plan document.

The legislation establishes that, as a general rule, Neighbourhood Plan examinations should be held without a public hearing, by written representations only. Having considered all the information before me, including the representations made to the submitted plan which I felt made their points with clarity, I was satisfied that the Tisbury and West Tisbury Neighbourhood Plan could be examined without the need for a public hearing and I advised Wiltshire Council accordingly. The Qualifying Body has helpfully responded to my enquiries so that I may have a thorough understanding of the thinking behind the Plan, and the correspondence has been shown on the Wiltshire Council Neighbourhood Planning website for the Tisbury and West Tisbury Neighbourhood Plan.

### **Tisbury and West Tisbury Neighbourhood Area**

A map showing the boundary of the Tisbury and West Tisbury Neighbourhood Area has been provided within the Neighbourhood Plan. Further to an application made by Tisbury and West Tisbury Parish Councils, Wiltshire Council approved the designation of the Neighbourhood Area on 27<sup>th</sup> July 2015. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Plan under section 61G(1) of the Town and Country Planning Act 1990 (as amended).

## Consultation

In accordance with the Neighbourhood Planning (General) Regulations 2012, the qualifying body has prepared a Consultation Statement to accompany the Plan.

The Planning Practice Guidance says:

“A qualifying body should be inclusive and open in the preparation of its Neighbourhood Plan [or Order] and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging Neighbourhood Plan [or Order]
- is made aware of how their views have informed the draft Neighbourhood Plan [or Order].” (Reference ID: 41-047-20140306)

I note that the Plan consultation work involved engagement with community groups for nearly four years, as well as surveys, public meetings and events. In the Consultation Statement it is estimated that TisPlan’s consultation reached over 1000 people directly through engagement at various events and reached every household in some form either by the community questionnaire or through press releases and other information-sharing through local channels.

In order to attract and engage with as many local residents as possible, events were publicised in the following ways:

- Press releases in the Parish magazine (Focus), and the local magazine ‘The Blackmore Vale’ and newspaper ‘Your Valley News’.
- Flyers posted in key local venues, including the Parish Council notice board, the Post Office, Tisbury Railway Station and the Library.
- Distribution of flyers and face-to-face engagement by TisPlan steering group in the High Street in the days prior to consultation events, using orange ‘TisPlan’ balloons to help increase the visual identity of the Plan.
- A detailed A3 pull out with a map of the Neighbourhood Area and potential development sites with a summary of the Plan’s objectives during the Regulation 14 consultation delivered to every household and distributed across Tisbury village.
- Targeted engagement with specific groups and stakeholders.
- Sharing information via the Parish Councils, such as the Tisbury and West Tisbury Annual Parish Meetings.

The helpful timeline included within the Consultation Statement shows that:

- After piloting, the TisPlan Community Questionnaire was distributed in October 2015. It comprised 22 questions to survey residents on their aspirations for the development of the Neighbourhood Area. This was delivered personally by volunteers to every household and had an excellent response rate of 48%. An analysis of the questionnaire results was published on the TisPlan website and shared with local residents at the Tisbury Parish Council and West Tisbury Annual Meetings in May 2016.
- Between 2015 and 2017 local community groups, landowners and businesses were consulted on their development preferences in the area to assist with policy development. This included engaging with the site owner of the main brownfield site, Station Works, to ensure they were made aware of the strong community preferences for the site, which had arisen from the community questionnaire.
- A ‘working draft’ of TisPlan was released in May 2017, ahead of a TisPlan Feedback Consultation day at the Nadder Centre to use as a discussion point to obtain community feedback on refining the Plan. More than 80 local people made comments in two

separate sessions which were reviewed by the TisPlan steering group to improve the Draft Plan before the formal (Regulation 14) consultation in July 2017.

- The TisPlan Pre-Submission Draft was available for the local community consultation during the extended consultation period 10<sup>th</sup> July - 8<sup>th</sup> September 2017. Every household received a comprehensive brochure outlining TisPlan's policies and objectives and a map of proposed allocated sites in the neighbourhood area. Display boards were situated at Nadder Centre and a TisPlan open day was held at the Parish Council Reading Room. Feedback received on the Pre-submission Draft version was used to further refine the TisPlan policies, to be in general conformity with the Local Plan as well as meeting other statutory requirements and local needs. There were 44 respondents, whose comments are summarised within the Consultation Statement together with how TisPlan was revised based on these comments.

I am therefore satisfied that the consultation process accords with the requirements of the Regulations and the Practice Guidance and that, in having regard to national policy and guidance, the Basic Conditions have been met. In reaching my own conclusions about the specifics of the content of the Plan I will later note points of agreement or disagreement with Regulation 16 representations, just as the Qualifying Body has already done for earlier consultations. That does not imply or suggest that the consultation has been inadequate, merely that a test against the Basic Conditions is being applied.

### **Representations Received**

Consultation on the submitted Plan, in accordance with Neighbourhood Planning Regulation 16, was undertaken by Wiltshire Council from Monday 11<sup>th</sup> March 2019 until Wednesday 24<sup>th</sup> April 2019. I have been passed a significant number of representations – 26 in total – which are included alongside the details of the Plan on the Wiltshire Neighbourhood Planning website. I have not mentioned every representation individually within the Report but this is not because they have not been thoroughly read and considered in relation to my Examiner role, rather their detail may not add to the pressing of my related recommendations which must ensure that the Basic Conditions are met.

## **The Neighbourhood Plan**

The Tisbury and West Tisbury Parish Councils are to be congratulated on their extensive efforts to produce a Neighbourhood Plan for their area that will guide development activity over the period to 2036. I can see that a sustained effort has been put into developing a Plan with a vision for Tisbury and West Tisbury: “There will be modest, sustainable growth in housing to provide for the range of housing needs in the local area. Development should enhance the well-being of residents, provide opportunities for local business and provide quality infrastructure to encourage sustainable lifestyles to enable the area to continue to prosper into the future. The conservation and enhancement of the AONB [Area of Outstanding Natural Beauty] and its outstanding landscapes, environment and heritage assets will be at the core of any local development decision.” The Plan document is well presented with a distinctive combination of text, images and Policies that are, subject to the specific points that I make below, well laid out and helpful for the reader. The referencing with footnotes throughout the document is to be commended (subject to corrections noted below). The Plan has been kept to a manageable length by not overextending the potential subject matter and the coverage of that.

It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of policy, it is part of my role wherever possible to see that the community’s intent is sustained in an appropriately modified wording for the policy. It is evident that the community has made positive use of “direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area” (Planning Practice Guidance Reference ID: 41-001-20140306).

Having considered all the evidence and representations submitted as part of the Examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It works from a positive vision for the future of the Neighbourhood Area and promotes policies that are, subject to amendment to variable degrees, proportionate and sustainable. The Plan sets out the community’s priorities whilst identifying and safeguarding Tisbury and West Tisbury’s distinctive features and character. The plan-making had to find ways to reconcile the external challenges that are perceived as likely to affect the area with the positive vision agreed with the community. All such difficult tasks were approached with transparency, with input as required and support from Wiltshire Council.

However, in the writing up of the work into the Plan document, it is sometimes the case that the phraseology is imprecise, not helpful, or it falls short in justifying aspects of the selected policy. This is not uncommon in a community-prepared planning document and something that can readily be addressed. Accordingly I have been obliged to recommend modifications so as to ensure both clarity and meeting of the ‘Basic Conditions’. In particular, Plan policies as submitted may not meet the obligation to “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). I bring this particular reference to the fore because it will be evident as I examine the policies individually and consider whether they meet or can meet the ‘Basic Conditions’.

### **Basic Conditions**

The Independent Examiner is required to consider whether a Neighbourhood Plan meets the “Basic Conditions”, as set out in law following the Localism Act 2011; in December 2018 a



fifth Basic Condition was added relating to the Conservation of Habitats and Species Regulations 2017. In order to meet 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 Plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations;
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d).

The submitted Basic Conditions Statement has very helpfully set out to address the issues in relation to the first four of these requirements in the same order as above and, where appropriate, has tabulated the relationship between the policy content of the Plan and its higher tier equivalents. I note that the Local Plan is the Wiltshire Core Strategy adopted in January 2015. At the time of Neighbourhood Plan submission the fifth Basic Condition had only just been added but, on the basis of the Habitats Regulations Assessment (February 2019) and its recommendations, I am satisfied that the making of the Plan will not breach the Basic Condition relating to the Habitats and Species Regulations 2017.

I have examined and will below consider the Neighbourhood Plan against all of the Basic Conditions above, utilising the supporting material provided in the Basic Conditions Statement and other available evidence as appropriate.

## **The Plan in Detail**

I will address the aspects of the Neighbourhood Plan content that are relevant to the Examination in the same sequence as the Plan. Recommendations are identified with a bold heading and italics, and I have brought them together as a list at the end of the Report.

### **Front cover**

A Neighbourhood Plan must specify the period during which it is to have effect. I note that there is a reference to the Plan dates 2017 – 2036 prominently and helpfully on the front cover. However, as the Plan cannot be backdated and the Plan relates to documents dated post 2017, the start date for the Plan should be amended to 2019. I further note that the word 'Plan' has not been included within the document title which would seem to be an omission.

### ***Recommendation 1:***

*1.1 Amend the Plan period on the front cover and all later references to '2019 – 2036'.*

*1.2 To the document title on the front cover add 'Plan' after "Tisbury and West Tisbury Neighbourhood Development".*

### **Contents**

The Contents list will need to be reviewed once the text has been amended to accommodate the recommendations from this Report. To allow for ease of referencing within other planning documents, Committee reports and Decision Notices the whole document would benefit from section, paragraph and policy numbering. I would also mention here that the reproduction quality of several of the maps is poor and this emphasises that, even if the quality is improved, detailing the source of maps (where applicable) is important to allow for the source copy and/or its replacement to be readily viewed.

**Recommendation 2:**

2.1 Review the “Contents” pages once the text has been amended to accommodate the recommendations from this Report.

2.2 Add a numbering scheme throughout the document that allows the Sections and their paragraphs as well as policy sub-elements to be readily identified.

2.3 Ensure that the source, where applicable, of maps and diagrams is stated and the quality of reproduction is reviewed.

**Introduction to TisPlan: Submission Version**

This introductory section has now served its purpose and can be removed. However it is important that the map of the Neighbourhood Area is retained and it can now be given greater prominence and clarity across a full page.

**Recommendation 3:**

Remove the text section titled “Introduction to TisPlan: Submission Version” on pages v & vi but retain the “Map of the Tisplan Neighbourhood Area” and the footnote reference to the designation decision; amend the Contents page accordingly.

**Abbreviations Used in TisPlan**

Whilst I can see that it is helpful to have a glossary of the abbreviations which is easily accessible, the number of abbreviations is quite daunting and where abbreviations are only used once or twice it would probably aid the legibility and flow of the Plan if full titles rather than abbreviations were used in the text eg Salisbury to Exeter Rail Users Group.

**Recommendation 4:**

Review the use of abbreviations within the Plan text to ensure their use is compatible with the legibility and flow of the Plan.

**How to Use TisPlan**

This section provides a useful introduction to the Plan document. However as the Plan is about to become part of the Wiltshire Development Plan the sentences about the availability of the Plan should be replaced with a wider reference.

**Recommendation 5:**

Under the heading “How to Use TisPlan”:

5.1 Delete the sentences beginning “Reference copies of this submission version...” and replace with a sentence as follows:

*‘This Plan must be read alongside the content and policies of the Wiltshire Core Strategy (and any successor documents) since the documents together are the Development Plan applying within Tisbury and West Tisbury.’*

5.2 Amend the second paragraph beginning “In order to encourage...” by replacing all the wording that begins with “action points relating to each section ...” with ‘...Action Points which are separately tabulated at the end of each Section. These do not form part of the land use Neighbourhood Plan (that is part of the Development Plan) and the Tisbury and West Tisbury Parish Councils will address and prioritise these actions.’

**Section 1: A Summary of the TisPlan Area and its Development Priorities****1.1 A Brief Overview**

Whilst this overview is helpful there are a number of points to be addressed:

- In paragraph 4, last sentence, the use of “AONB” should be ‘AONB Management Plan’.

- In paragraph 11 on page 2 the claim that “Long distance commuting is above average for Wiltshire” needs a source reference.
- The representation from Wiltshire Council has questioned the basis for the assertions in paragraph 12. The Council “doubt that the funding withdrawal equalling car ownership increase is supported by evidence” and would wish the assertion to be deleted. As no evidence has been provided I agree that this expression of opinion should be deleted.

**Recommendation 6:**

*Under the heading “A Summary of the TisPlan Area and its Development Priorities*

*1.1 A Brief Overview”:*

*6.1 In paragraph 4, last sentence, replace “AONB” with ‘AONB Management Plan’.*

*6.2 In paragraph 11 on page 2 add a source reference to the claim that “Long distance commuting is above average for Wiltshire”.*

*6.3 In paragraph 12 delete “, resulting in above average car ownership”.*

**1.2 Development Challenges Identified and Addressed by TisPlan**

The wording of this section has been designed to be helpfully explanatory for public consultation purposes but the requirement within a Development Plan document is different. Accordingly some of the wording in this section needs to be reconsidered to provide the appropriate context for later policies. A representation notes that the details provided fail to acknowledge the housing requirement for West Tisbury (as part of the Tisbury Community Area).

Planning Practice Guidance says (Paragraph: 040 Reference ID: 41-040-20160211):

“Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need. In particular, where a Qualifying Body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making”. And further, “A neighbourhood plan can allocate additional sites to those in a Local Plan where this is supported by evidence to demonstrate need above that identified in the Local Plan” (Paragraph: 044 Reference ID: 41-044-20160519).

The Tisbury and West Tisbury Neighbourhood Development Plan includes the allocation of new sites for housing. And yet, before allocating these sites the document doesn’t establish the scale of the overall requirements to be met to 2036; the only numerical ‘accounting’ to show how the local housing requirement is being addressed is to 2026. I appreciate that this may be because the Local Plan Review is not yet in a position to “share relevant evidence on housing need”. However, the consequence is that, whilst it is evident that Tisbury housing land allocations will make a legitimate contribution to meeting the housing requirement, what is not evident or explained is whether the scale of allocation in the Plan is a fair or proportionate contribution toward meeting current and future requirements. This has also been questioned within the representations. Given that there is a new Local Plan in preparation, the Neighbourhood Plan housing allocations, as they are to 2036, should relate to the evidence being collated for the Local Plan otherwise the Neighbourhood Plan could quickly become out of date (see Planning Practice Guidance: Paragraph: 009 Reference ID: 41- 009-20160211).

The Qualifying Body has responded with some further details (which have been made available on the Wiltshire Neighbourhood Plan website pages) the most significant of which is:

“In considering an extended plan period to 2036, the Steering Group had regard to the evidence available at the time in respect of the Local Plan Review. The evidence used was data published by the Council in November 2017 and was also used during the Local Plan Review Informal Consultation during October and November 2018. The 2017 evidence suggested that the Salisbury HMA of which Tisbury and West Tisbury is part, needed to provide 8,250 dwellings between 2016 and 2036 of which approximately 8,000 homes have been built or committed (para 3.8, Swindon and Wiltshire Joint Spatial Framework Issues Paper, 2017). It was this evidence that that the qualifying body considered in moving forward with the submission of their neighbourhood plan in January 2019. Wiltshire Council are now in the process of testing new housing need figures for the period 2016 to 2036, as reported to Cabinet on 30 April 2019 and have not published indicative figures to inform neighbourhood plans in preparation.”

The response also notes that “a local housing needs survey has been undertaken as discussed in Wiltshire Council’s representation. The reports of the survey are currently with Tisbury and West Tisbury Parish Councils for their approval however in summary this identifies a current need for 13 units” and a summary was provided as an Appendix to their response.

On the basis of these further details I can see that:

- The Plan is prepared on the basis of the best information available to the Qualifying Body and current local needs are evidenced as modest.
- That the position of the Neighbourhood Area within the AONB is a significant constraining factor on the ability of the Area to accommodate growth.
- That revised and additional wording should be added to Section 1.2 to acknowledge the present position with a Plan horizon of 2036 and the potential need for a Plan review.

**Recommendation 7:**

*Under the “Development Challenges Identified and Addressed by TisPlan” heading:*

*7.1 Add the following footnote source reference to the last sentence of paragraph 2 on page 3:*

*[www.wiltshire.gov.uk/planningpolicydocument?directory=Wiltshire%20Housing%20Site%20Allocations%20DPD/Submission%20July%202018/Community%20Area%20Topic%20Paper&fileref=17](http://www.wiltshire.gov.uk/planningpolicydocument?directory=Wiltshire%20Housing%20Site%20Allocations%20DPD/Submission%20July%202018/Community%20Area%20Topic%20Paper&fileref=17)*

*7.2 Add a third sentence to paragraph two as follows:*

*‘However, the wider Tisbury Community Area, which includes West Tisbury but also other outlying communities, by 2017 had yet to contribute 142 dwellings against the target set for the period to 2026.’*

*7.3 Replace paragraph 4 with:*

*‘The horizon of the Neighbourhood Plan is 2036 which coincides with the horizon date for the current Wiltshire Local Plan Review (LPR). The base date of the LPR is 2016. The current Wiltshire Core Strategy (adopted January 2015) and the Local Plan Review (2016-2036) have overlapping plan periods and therefore commitments identified now will contribute towards meeting future requirements. Data published by the Council in November 2017 (and used during the Local Plan Review Informal Consultation during October and November 2018) suggested that the Salisbury HMA, of which Tisbury and West Tisbury is part, needed to provide 8,250 dwellings between 2016 and 2036 of which approximately 8,000 homes have been built or committed [<sup>footnote</sup>: para 3.8, Swindon and Wiltshire Joint Spatial Framework Issues Paper, 2017]. Wiltshire Council have commenced the testing of new housing need figures for the period 2016 to 2036, as reported to Cabinet on 30 April 2019 but have not, at the time of publication, published indicative figures to inform Neighbourhood Plans in preparation. Even though this Plan allocates land for additional*

housing, an early review of the Neighbourhood Plan may therefore become appropriate to ensure that it remains up to date with new strategic policies from the Local Plan Review.’

7.4 Delete the sub-section heading “So, if housing and employment targets have been met, what is the point of TisPlan?” and delete the first two paragraphs of this sub-section (with related amendments to the footnotes); delete also the second sentence of paragraph 3, the first sentence of paragraph 4 and “,especially at Station Works and the Magistrates’ Court” from the end of paragraph 6.

7.5 Since strategic matters are for the Local Plan Review the last two sentences of paragraph 8 should be replaced with:  
‘The Plan can help to ensure that the redevelopment of available brownfield sites will be prioritised.’

### **1.3 TisPlan’s Overall Vision and Section Summaries**

This is an interesting section providing a pen-picture and image to introduce each of the topic areas that are addressed within the Plan. I will later make comments about the numbering and titling of the related Plan section but in relation to the content under the sub-heading “Section 7: Planning Gain: Potential Use of Community Infrastructure Levy Monies” a representation has queried the accuracy of the wording.

#### **Recommendation 8:**

Under the heading “1.3 TisPlan’s Overall Vision and Section Summaries”:

8.1 Under the sub-heading “Section 7: Planning Gain: Potential Use of Community Infrastructure Levy Monies” in paragraph 1 delete the words “on most new development.”.

8.2 Footnote 18 on page 5 is incorrect; it will be sufficient to use a web link to the external document that may change over time.

### **1.4 Achieving Sustainable Development – TisPlan’s Compliance with the Basic Conditions**

The limited content here has served its purpose at the consultation stage (as well as now being in part out of date) but is important that it is evidenced that the plan-making addressed the issue of sustainable development – this can be achieved by referencing the Basic Conditions Statement.

#### **Recommendation 9:**

Under the heading “1.4 Achieving Sustainable Development – TisPlan’s Compliance with the Basic Conditions” replace the text with:

‘The Basic Conditions Statement <sup>[footnote]</sup> submitted with this Plan illustrates the ways in which the Plan Policies both individually and in combination address the requirements for sustainable development with its three aspects:

- *Economic - contributing to building a strong economy: ensuring that sufficient land is available in the right place and at the right time.*
- *Social - providing homes that will meet the needs of future generations, and supporting the community’s health, social and cultural well-being.*
- *Environmental - protecting our environment: using natural resources prudently, minimising waste and pollution, and mitigating climate change.’*

## **Section 2: Historic and Natural Assets (HNA)**

### **2.1 Background and Rationale**

Representations have commended the prominence provided within the Neighbourhood Plan to the significance of the location of the Neighbourhood Area within an AONB. Whilst I

appreciate that the format of the map on page 9 echoes that on page 1, for clarity a key is required indicating that the shaded area indicates the Neighbourhood Area.

**Recommendation 10:**

*Add a key to the shaded area and a source to the map on page 9.*

**2.2 HNA Policies**

The footnotes 23 - 27 on pages 10 and 12 refer to five Appendices and Annexes (although Annexe 8 is not as shown and Appendix 17 is now out of date) but those that are external documents would be sufficiently referenced as a website link (see also later section of this Report on Appendices and Annexes). The reference at the foot of page 11 is also to the wrong Annexe.

**Recommendation 11:**

*Review the use of Appendix and Annexe references at the foot of pages 10, 11 and 12.*

**Policy HNA.1 Natural Assets and Biodiversity**

Whilst Policy HNA.1 has evident regard for national Policy and specifically mentions related Local Plan Policy, some wording issues need to be addressed:

- Since not every feature listed as 1-4 within the Policy will be relevant for every development a 'where applicable' is needed within the wording.
- Since it is only established that "the water meadows adjacent to the River Nadder" are of "particular value" to the local community this is what the Policy must say.
- The inclusion of Local Green Spaces and amenity spaces – which are protected for other reasons by other Policies – needs to be explained.
- Since requirements may change over time, the source of the requirements regarding bats needs to be noted.
- Contrary to the assertion in the last paragraph of the Policy, development cannot just "aspire" to address Core Strategy Policy but must address its requirements. As it is not necessary for Neighbourhood Plan Policies to reference their Core Strategy equivalents, the referencing of Policy CP52 can be removed to the supporting text.

**Recommendation 12:**

*Within Policy HNA.1:*

*12.1 In the second sentence add 'applicable and' between "where" and "feasible".*

*12.2 Within the sentence listed as "4" remove the section relating to Local Green Spaces and amenity spaces to form a separately numbered element worded as:*

*'5. Safeguard the biodiversity value of the designated Local Green Spaces (Policy LCW.1) and amenity spaces (Policy LCW.3).'*

*12.3 Reword paragraph 2 as:*

*'The landscape and biodiversity of the water meadows adjacent to the River Nadder are particularly valued by the local community.'*

*12.4 Amend the beginning of paragraph 3 to read: 'In accordance with national procedures, an impact assessment will be required to identify and address any potential risks.....'; delete paragraph 4.*

*12.5 Remove paragraph 5 to the end of the supporting text on page 28 to read as:*

*'The requirements of Wiltshire Core Strategy Policy CP52: Green Infrastructure will also apply.'*

As amended Policy HNA.1 meets the Basic Conditions.

## **Historic Assets**

On page 14 the source of the map needs to be stated and the Annexe references in the footnotes should be reviewed in line with the overall review addressed later; also the footnote numbering seems to have gone awry here. On page 15 the Annexe reference is wrong.

### **Recommendation 13:**

*On page 14 add a source reference to the map and on pages 14 and 15 review the Annexe referencing and footnote numbering.*

## **Policy HNA.2: The Conservation Area**

Whilst Policy HNA.2 has evident regard for national Policy and specifically mentions a related Local Planning Authority document, a number of issues arise from the wording of this Policy:

- Although within its context it is clear that Policy HNA.2 relates to the Tisbury Conservation Area, “Tisbury” should be included within the title for instances when the Policy is quoted in other documents.
- The opening sentence reflects national Policy but there is danger with the restating of this in variations of wording in subsequent paragraphs that unhelpful confusion will arise. A representation notes that commencing the sentence with “Any proposal...” would aid clarity.
- As the Tisbury Conservation Area Appraisal and Management Plan is being relied upon, there is no evident value, and potential for confusion, in selectively taking some elements from it or other less comprehensive documents within the Policy wording.
- The use of the phrase “Any planning application which would remove or detract from original features will be refused” both lacks a positive approach and clarity on what might constitute “original features” but also goes significantly beyond the national protections afforded in Conservation Areas.
- In the last paragraph “will be strongly resisted” lacks clarity in relation to the powers available to the Local Planning Authority. A representation comments that “It is not clear what the Neighbourhood Plan is trying to control”. If the Conservation Area Appraisal document identifies and describes “character zones” and the Policy requires development proposals to “have regard” to those then there seems earlier to be the basis for a planning judgement to be reached.

### **Recommendation 14:**

*Amend the title of Policy HNA.2 to read ‘Tisbury Conservation Area’ and then within the Policy:*

*14.1 At the beginning of the first paragraph replace “A” with ‘Any’.*

*14.2 In paragraph 2 delete the first sentence and the part of the second sentence that comes after “(2009 and subsequent revisions thereof)”. For consistency also delete the related reference in the supporting text at paragraph 3 on page 17 – sentence commencing “See Appendix 4.....”.*

*14.3 Reword the opening of paragraph 3 as: ‘To be supported, proposals must identify and address appropriately any impacts on the following: ....’.*

*14.4 Reword paragraph 4 as follows:*

*‘The mainly Victorian character of Tisbury High Street, with its historic frontages of shops, businesses and residences, should be respected.’*

*14.5 Delete paragraph 5.*

As amended Policy HNA.2 meets the Basic Conditions.

### **Historic and Natural Assets HNA.3 Managing Water in the Environment**

The map on page 18 lacks a source reference. The footnote 29 on page 19 refers to the wrong Annexe.

#### **Recommendation 15:**

*Add a source reference to the map on page 18 and review the Annexe referencing on page 19.*

### **Policy HNA.3 Managing Water in the Environment**

Whilst Policy HNA.3 has evident regard for national Policy and specifically mentions related local strategic policy, a number of queries arise from the wording of this Policy:

- The first paragraph is essentially commentary rather than part of the Policy and by precis does not accurately reflect national Policy. Further, as noted earlier, it is not evidenced that (as is said here and also in the supporting text) “brownfield sites above the flood zone can meet the housing targets over the plan period”.
- The representation from Wessex Water states that “there are no capacity issues at Tisbury Sewage Treatment Works” and that “reference to the NMP [Nutrient Management Plan] within the Neighbourhood Plan is sufficient” “and therefore we recommend deleting the [second paragraph] within Policy HNA.3”.
- The representation from the Local Planning Authority notes that the third paragraph (as well as the explanatory text) needs amendment to ensure that the Plan meets the Habitats Regulations.
- It is not necessary for Neighbourhood Plan Policies to restate what is already required – that development proposals should accord with the requirements of the NPPF and NPPG.

#### **Recommendation 16:**

*Within Policy HNA.3:*

*16.1 Delete paragraph 1 and a related sentence and footnote within the supporting text: sentence two of paragraph 3 on page 19 commencing “Since adequate provision....”.*

*16.2 Delete paragraph 2.*

*16.3 Replace paragraph 3 as follows:*

*‘New development must be built to the highest optional water efficiency standards provided for by building regulations which are currently a maximum water use of 110 litres per day (G2 of the Building Regulations 2010).’ Make a related adjustment to the supporting text by adding the following at the end of paragraph 1 on page 20:*

*‘The current position is that all new development permitted between 2018 and 2025 must be ‘phosphate neutral’ and this will be achieved by delivering the measures contained in the Interim Development Plan (IDP) agreed by the River Avon SAC Working Group. This requires higher optional water efficiency standards provided for by the building regulations which are currently a maximum water use of 110 litres per person per day (G2 of the Building Regulations 2010). Additional mitigation measures will be funded through CIL payments. In exceptional circumstances, it may be necessary for developers to provide for further measures beyond those funded by CIL.’*

*16.4 Delete paragraph 4.*

As amended Policy HNA.3 meets the Basic Conditions.



## **2.3 Action Points for Tisbury and West Tisbury Parish Councils to Carry Forward the Policies for Historic and Natural Assets**

Planning Practice Guidance says: “Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex” (Paragraph: 004 Reference ID: 41-004-20170728). Whilst I note that a “companion document or annex” route has not been used, I accept that the clarity of the heading and the tabulation format make the non land use Action Points “clearly identifiable” and therefore in accord with the Guidance.

## **Section 3: Housing and Buildings**

### **3.1 Background and Rationale**

Further to the exploration of the housing position earlier in this Report, some of the wording in the “Background and Rationale” section (and in the Policies) needs amendment/correction. At the top of page 23 it is asserted that “development on major greenfield sites will not be permitted” and “ribbon development in the open countryside between the settlements will be resisted”. In addition to transgressing a strategic policy issue, the assertions here appear to state policy outside of the Policies themselves. The Local Planning Authority points out that, as is acknowledged within Plan Policy BL.2, a rural exception site may be the best means to achieve a community-led development. As the text and the Policies need to be consistent two sentences need to be deleted.

#### **Recommendation 17:**

*Under the heading “Section 3: Housing and Buildings 3.1 Background and Rationale”:*

*17.1 The source for the population data in paragraph 2 needs to be added.*

*17.2 Since Plans are to be positively framed, in the first sentence of paragraph 5 on page 22 replace “controls are required” with ‘the Plan aims’.*

*17.3 Since data from 2011 is of questionable use in 2019, replace paragraph 6 with: ‘The 2018 Housing Needs Survey conducted by Wiltshire Council shows that demand is almost exclusively for one and two bedroom properties whereas the 2011 Census indicated that the actual provision of smaller properties was below the national average.’ Add a source reference for the Needs Survey data.*

*17.4 Replace the first sentence of paragraph 7 as follows: ‘TisPlan has identified a brownfield site which should be used to address housing requirements.’*

*17.5 In the second sentence of paragraph 7 delete “(up to a maximum of 60)” and replace “well into the next Core Strategy to 2036” with ‘into the period of the Local Plan Review to 2036’.*

*17.6 Since neither of the sites identified in paragraph 8 has been allocated for housing this paragraph is misleading and should be deleted. Replace this with details of a scheme that will make a contribution, as follows:*

*‘At the time this Plan was being prepared a proposal to provide 8 dwellings within the curtilage of the Tisbury Catholic Church was making good progress.’*

*17.7 Delete the first paragraph on page 23.*

*17.8 Since environmental impacts are dealt with through other policies and Wessex Water states that there are no sewage capacity issues, the third paragraph on page 23 should also be deleted.*

### **3.2 Housing and Buildings Policies**

The representation from Wiltshire Council points out that the inclusion in paragraph 3 of this section of two independent issues together may mislead; it is also noted that the use of the term “Starter Home” may not fully accord with the related national Policy. Since the matter of low-cost starter homes has already been mentioned in paragraph 2 the second sentence of paragraph 3, which may mislead, can be deleted.

Since paragraph 1 indicates that “the overwhelming majority do not expect to require alternative accommodation” I do not believe that the pie-chart after paragraph 3 is appropriate, particularly since only the percentage (and no numerical) details are provided. Now that the 2018 Housing Needs Survey is available the findings from that might make a more suitable basis for an illustration.

The representation from the Tisbury Catholic Parochial Church Council requests that the second paragraph on page 24 be updated to acknowledge the current position with their project to provide 6 low-cost, low-energy, two bedroom starter homes and 2 family homes. However, since the Plan is a forward-looking document it is not necessary to dwell in detail on a snapshot of a current position.

#### **Recommendation 18:**

*Under the heading “3.2 Housing and Buildings Policies”:*

*18.1 Delete the second sentence of paragraph 3.*

*18.2 Delete the pie-chart that is included after paragraph 3 and consider replacing this with a table combining data from the TisPlan survey with appropriate details from the 2018 Housing Needs Survey that might relate to the “most recent evidence of local need” included within Policy BL.1.*

*18.3 Since the details of the housing scheme for the curtilage of the Catholic Church have already been updated and included above, the second paragraph on page 24 can be deleted.*

#### **Policy BL.1 Providing a Broad Mix of Housing**

The representation from the Local Planning Authority, whilst supporting the intent of the Policy, notes that there may be inconsistencies between the specific expectations of the supporting text and the Policy wording, in particular since a new Housing Need Survey has been undertaken. The same representation also notes that element 1 of the second paragraph should be amended to read: ‘The Wiltshire Core Strategy’s (or its successor) affordable housing requirement’ i.e. the ‘requirement’ rather than the “shortfall” is the issue.

The clarity of the wording of the third paragraph is also an issue; it is unclear what “Opportunities ... will be encouraged” is intended to mean in practical terms within a Development Plan document. The Local Planning Authority has also queried the apparent restriction of community-led housing to “lower-cost or affordable housing” as too inflexible.

#### **Recommendation 19:**

*Partly reword Policy BL.1:*

*19.1 Replace element 1 in paragraph 2 with:*

*‘The Wiltshire Core Strategy’s (or its successor’s) affordable housing requirement’.*

*19.2 Reduce element 3 in paragraph 2 to:*

*‘The provision of low cost dwellings (which might include self-build)’.*

*19.3 Reword the third paragraph as:*

*‘Community-led developments (which may involve Community Land Trusts or other social housing providers) are encouraged to include provision in perpetuity for low cost and affordable housing.’*

As amended Policy BL.1 meets the Basic Conditions.

### **Buildings BL.2 Affordable Housing**

The representations from the Local Planning Authority and the AONB Partnership point out that the supporting text on page 25 does not accurately reflect either the content of Core Strategy Policy 43 or the current NPPF. As Tisbury and West Tisbury sit in a designated rural area a lower threshold of 5 or more dwellings for an affordable housing contribution applies; Tisbury Parish sits within the 30% affordable housing zone and West Tisbury Parish sits within the 40% zone. The text will require correcting accordingly.

Further errors are noted in representations. The 2014 Housing Needs Survey was not undertaken by the Wiltshire Rural Housing Association but by Wiltshire Council working with Tisbury and West Tisbury Parish Councils. The Local Planning Authority has commented that the discrepancies in findings between the Survey and the TisPlan questionnaire deserve some consideration and in particular the survey results which evaluated respondents’ eligibility for affordable housing cannot be compared with the demand/aspirations identified in the TisPlan questionnaire. As I noted above, now that the 2018 Housing Needs Survey is available there is no value in using the 2014 findings (or the 2006 equivalent) particularly at the level of detail shown. Accordingly some revised wording is required.

Also it is noted that Wiltshire Council Allocations Policy, agreed by its Registered Providers, already has a local connection provision and Wiltshire Council S106 Agreements already require, wherever possible, that Affordable Housing is provided in perpetuity.

#### **Recommendation 20:**

*On page 25 under the sub-heading “Buildings BL.2 Affordable Housing”:*

*20.1 Reword paragraph 2 as follows:*

*‘Under the Wiltshire Council Core Policy 43 all residential developments of 5 or more dwellings should deliver affordable housing, in Tisbury Parish a minimum of 30% affordable housing and in West Tisbury Parish a minimum of 40% affordable housing.’*

*20.2 Reword paragraph 3 as follows:*

*‘The results from the 2015 TisPlan questionnaire indicate there is demand across the Plan period for low-cost and affordable housing and this is supported by the findings of the Wiltshire Council 2018 Housing Needs Survey’.*

*20.3 Delete paragraph 4.*

*20.4 Reword paragraphs 5 & 6 as follows:*

*‘In both the TisVis and TisPlan consultations feedback indicated support for a continued priority in perpetuity for local people in the allocation of affordable housing, in accordance with Wiltshire Council’s Allocations Policy.’*

### **Policy BL.2 Affordable Housing**

Looking at the Policy BL.2 wording, the Local Planning Authority notes that their Allocations Policy does not recognise the Neighbourhood Area as such but rather the two Parishes; therefore the “cascade” will include West Tisbury as a neighbouring Parish if the development is in Tisbury and vice-versa. As the Allocations Policy is not a land use matter the Neighbourhood Plan cannot seek to change it. In other respects, it would seem that paragraph 1 of Policy BL.2 is a reiteration of present Wiltshire practice.

In relation to paragraph 2 the Local Planning Authority points out that the acceptance of a financial contribution in lieu of on-site affordable housing would apply only in exceptional circumstances. However, as this provision is about a financial mechanism rather than a land-use one it is beyond the scope of a Neighbourhood Plan but might be included as an Action Point for monitoring by the Parish Councils.

As noted in relation to the wording of Policy BL.1, I am unsure what “Opportunities for ...” within paragraph 3 might suggest. The Local Planning Authority notes that Wiltshire Core Strategy Policy would allow rural exception site development for affordable housing and that the Policy wording needs to have sufficient flexibility to ensure that affordable housing is deliverable, a point echoed within the representation from Tisbury Community Homes. Since the wording of paragraph 3 is largely a repetition of a relevant paragraph in Policy BL.1, there is no value in two Policies saying the same thing and the paragraph within Policy BL.2 should be deleted.

**Recommendation 21:**

*Within Policy BL.2:*

*21.1 In paragraph 1 delete “to the neighbourhood area” from the first sentence and replace the second sentence with:*

*‘In practice this means that eligible applicants in each Parish will be afforded priority for affordable housing developed within their own Parish and the same opportunity in the other Parish if properties remain unallocated after the first offers’.*

*21.2 Move the content of paragraph 2 to be an Action Point to BL.2 under section 3.4, page 40.*

*21.3 Delete paragraph 3.*

As amended Policy BL.2 meets the Basic Conditions.

**Buildings BL.3 Development on Brownfield Sites**

Within the supporting text it is stated that “An application will not be supported without proven suitable substitution of a site for the fire station; and development gain should support suitable alternative facilities”. As this is not within a Policy it is an inappropriately worded paragraph; whilst it is legitimate for the text to explain positively what is being sought, this needs clarity: are the “alternative facilities” the replacement of the fire station in which case the “planning gain” reference is rather redundant. The Qualifying Body has clarified that “The redevelopment of the fire station site again would be welcomed if the service is re-provided in line with fire service requirements”.

TisPlan as such cannot “welcome” or “support” proposals other than through suitably worded Policies and their application by the Local Planning Authority. Accordingly some rewording is required.

**Recommendation 22:**

*Under the sub-heading “Buildings BL.3 Development on Brownfield Sites”:*

*22.1 In the opening sentence of paragraph 5 replace “would be welcome if it supports” with ‘could support’. In the second sentence replace “is preferred” with ‘would be ideal’ and replace “would be welcomed” with ‘could be used’. Reword the last sentence of paragraph 5 as: ‘A comprehensive approach should consider any provision that could address fire service requirements’.*

*22.2 In the first sentence of paragraph 7 replace “should be positively encouraged, a strategy” with ‘is’.*

22.3 Review the incorrect reference to Annexe 7 in footnote 8 on page 26.

### **Policy BL.3 Development on Brownfield Sites**

In Policy BL.3 paragraph 1 it is difficult to envisage why the reference to the AONB has been qualified with "...in the outlying settlement..." and the Qualifying Body agreed that it should be deleted.

In paragraph 3 the Qualifying Body confirmed that it is only the development of "historic" existing buildings that is supported in the Policy. The Local Planning Authority has suggested that point 3 should be reworded along these lines: "This would not have an unacceptable impact on the local road network".

The reason for and evidence supporting the requirement of paragraph 5 is unexplained; since paragraph 2 suggests that "housing will be prioritised" this priority for employment uses is rather unexpected. A representation queries the impact of such requirements on development viability. The Qualifying Body has commented that "although it is appreciated that mixed use sites in Tisbury are not within [Policy] CP2 of the Wiltshire Core Strategy the policy does continue to say, 'At mixed use sites development will be phased to ensure employment land, and its appropriate infrastructure, is brought forward during the early stages of development'. The requirement in TisPlan is continuing the Council's strategic goals towards smaller sites. In addition, when the CG Fry development at Hindon Lane was built the developer agreed to phase the employment to ensure that the employment was delivered and built prior to all the housing being occupied. This has been a real success for Tisbury as all units were rented or sold within 2 years. If the employment had been left until the end and not built, as seems to be the case on many mixed-use sites, it would not have come forward and would probably still not be built today or occupied." These are points that will apply to a varying degree between sites and as the issue, realistically, is only applicable to the one mixed-use site allocated within the Neighbourhood Area, it is within the site allocation Policy that this content, appropriately worded, should sit.

### **Recommendation 23:**

*Within Policy BL.3:*

23.1 *Reword the first two sentences as:*

*'Proposals for the redevelopment of deliverable brownfield sites will be supported, subject to:*

- the character of the AONB not being adversely affected, and*
- Policy EB.2 not being compromised, and*
- there being no unacceptable impact on the local road network.*

*Proposals for brownfield housing developments that contribute to meeting the planned housing requirement to 2036 are encouraged.'*

23.2 *Reword the third sentence as:*

*'Proposals to bring redundant and/or vacant historic buildings back into beneficial use will be supported subject to the three requirements set down in paragraph 1.'*

23.3 *Delete paragraph 5.*

As amended Policy BL.3 meets the Basic Conditions.

### **Buildings BL.4 Design and Landscape**

The use of "it" in the first paragraph is puzzling and the clarity of the wording could be improved. Similarly the general 'plea' at the end of paragraph 7 (on page 29) is inappropriate in a document about to become part of the Development Plan. The assertion in paragraph 8 is also inappropriate since it implies that all new development within a Conservation Area is unwelcome (paragraph 8 also has an issue since it partly merges with the photo above on

paper copies of the Plan). I will address the reference to Appendix 4 at paragraph 9 when I consider Policy BL.4 itself below.

Footnote 10 on page 28 suggests that the “Landscape Character Assessment” is available as Annexe 8 but this is not the case; I will further address the Annexes and Appendices later in this Report.

**Recommendation 24:**

*Under the sub-heading “BL.4 Design and Landscape”:*

*24.1 Reword the first sentence of paragraph 1 as:*

*‘As the Neighbourhood Area lies within an AONB it is essential that its historic natural and built environment is conserved and any adverse impacts on local vistas are identified and addressed.’*

*24.2 Review and correct the reference in footnote 10 on page 28.*

*24.3 Delete the third sentence of paragraph 7.*

*24.4 Reword paragraph 8 as:*

*‘The designation of the Tisbury Village Conservation Area in 2009 provides the basis on which the character of the village will be conserved and enhanced and it is therefore a vital source reference for development proposals within its boundaries.’*

*24.5 Delete paragraph 9.*

**Policy BL.4 Design and Landscape**

I note that Wiltshire Core Strategy Policy CP51 actually says “conserve and enhance” whereas Policy BL.4 omits the “and enhance”; the Qualifying Body has agreed that this is a drafting error.

The Local Planning Authority notes an absence of photographic examples of good, modern design which might help developers to interpret the preferred approach to design. I note that an appreciation of “local character and aesthetic qualities” relies on two accompanying documents; one is an independently produced Landscape and Character Assessment on which the AONB Partnership would like more emphasis (said to be Annexe 9 but not actually included within the online documents but found by me online); the second is a document produced, it seems, specifically for TisPlan, titled variously ‘Design and Visual Impact’ (in the Plan document), ‘Design Codes and Visual Impacts’ (in the document title) and ‘Design Code and Visual Impact’ (in the index to the Appendices), and within the document itself it is referred to as a “Design Strategy”. However it is unclear to me why the particular elements mentioned in paragraph 3 of Policy BL.4 have been selected for highlighting. Within the Landscape and Character Assessment I can find only one mention of “skyline” (on page 111: “Maintain the undeveloped wooded skyline of the greensand hills, by resisting development of new buildings, telecommunications masts, power lines, or any other vertical elements near the ridgeline”). Within the Design Codes and Visual Impacts document there is no overriding preference for the use of local stone and there does not appear to be any mention of the use of green roofs. Given the stated preference for “variety with a harmonious identity” it is unclear why a rigid “buildings should not exceed two storeys” expectation is applicable; as the Local Planning Authority points out, some existing 3 storey buildings make their contribution to the character of settlements. The ‘Design Codes and Visual Impacts’ document has no Design Code and seems only to include a Visual Impact of Renewable Energy. Its content often strays beyond its suggested purpose within Policy BL.4. Phrases such as “Wherever feasible, the planning authorities will be expected to encourage and even require the use of local building materials in order to sustain the character of the built environment” and “Tisbury itself is at risk of inappropriate ribbon development along Hindon

Road” are not appropriate within a support document that would form part of the Development Plan as per the status apparently afforded it within Policy BL.4. It is unclear how Policy BL.4 and the supporting documents should interact.

The NPPF (para 58) says: “Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.” I feel that the Tisbury Landscape and Character Assessment alongside the Tisbury Conservation Area Appraisal and Management Plan are clear as to “defining characteristics” whereas the Appendix 4 Design and Visual Impact is not. It may be that a more focussed version of the latter document should be produced to informally inform applicants and/or be incorporated within a first revision of the Neighbourhood Plan but I feel that it is beyond appropriate revision at this time.

**Recommendation 25:**

*Within Policy BL.4 Design and Landscape:*

*25.1 In paragraph 1 replace “CP51” with ‘Wiltshire Core Strategy Policy CP51’, replace “AONB” with ‘Cranborne Chase & West Wiltshire Downs AONB’ and replace “conserving” with ‘conserving and enhancing’.*

*25.2 Delete the second sentence of paragraph 2 since this will be covered more appropriately in paragraph 3.*

*25.3 Reword the paragraph 3 as:*

*‘Development proposals must appropriately demonstrate regard for the defining characteristics of the Neighbourhood Area as set out in the Tisbury Landscape Character Assessment 2008 (see Annexe 9) or successor document’; ensure that an Annexe provides the content of the Assessment and that it is correctly referenced within the Policy; consider adding an Action Point to produce reviewed and revised “Design and Visual Impact” guidance.*

As amended Policy BL.4 meets the Basic Conditions.

**Buildings BL.5 Energy**

A minor drafting error is evident in paragraph 3.

**Recommendation 26:**

*Under the heading “Buildings BL.5 Energy” in the third paragraph add ‘West Wiltshire Downs’ after “Cranborne Chase and” and before “AONB”.*

**Policy BL.5 Energy**

In the first paragraph of Policy BL.5 “should be supported” is an odd choice of words in a Policy design to inform prospective developments. Many lighting installations will not require a planning consent and therefore the wording of the final paragraph ought to include ‘Lighting installations that are subject to a planning consent’. The Local Planning Authority representation suggests that, in line with the new NPPF, the Policy might include an additional paragraph along these lines: ‘Requirements for plug in vehicles and ultra-low energy vehicle infrastructure should be incorporated within all new housing and employment development’; the Qualifying Body agreed with this suggestion.

**Recommendation 27:**

*Within Policy BL.5 Energy:*

*27.1 In paragraph 1 replace “should be supported wherever feasible” with ‘are encouraged’.*

27.2 For clarity, delete paragraph 3 and add to paragraph 2:  
'Also, roof designs might incorporate solar PV either for immediate or future installations.'

27.3 Reword paragraph 3 as:  
'Lighting installations that are subject to a planning consent should address the recommendations of the AONB Chasing Stars Initiative (or successor document)' and add a footnote reference to this.

27.4 Add an additional paragraph as follows:  
'Requirements for plug in vehicles and ultra-low energy vehicle infrastructure should be incorporated within all new housing and employment development.'

Policy BL.5 as amended meets the Basic Conditions.

### **Buildings BL.6 Infrastructure Provision**

The wording of the Policy justification should not stray into pseudo-Policy content and therefore in paragraph 3 "and will be resisted" is not appropriate.

#### **Recommendation 28:**

Under the heading "Buildings BL.6 Infrastructure Provision" in the second sentence of paragraph 3 delete "and will be resisted".

### **Policy BL.6 Infrastructure Provision**

It is puzzling why the first paragraph is restricted to two particular types of infrastructure. A representation queries the use of "minimise" in the first sentence. The Local Planning Authority representation suggests that the final paragraph should be reviewed for intent and clarity. The Policy should not be about telling the regulatory authorities their business. As noted earlier, the Water Authority has said that there are no capacity issues with the sewerage treatment plant and Policy HNA.3 can be relied upon in other respects.

#### **Recommendation 29:**

Within Policy BL.6:

29.1 In paragraph 1 delete "any energy or communications" and replace "minimise" with 'identify and address'.

29.2 Delete paragraph 3.

Policy BL.6 as amended meets the Basic Conditions.

### **3.3 Site Allocations**

The Local Planning Authority representation has questioned the clarity of the map on page 32 and the associated description. The map seems neither successful in illustrating the settlement boundary (which I appreciate has been in the process of changing but is now resolved) nor the exact boundaries of the two allocated sites. It would seem that three maps are needed:

- One to show the revised settlement boundary from the Wiltshire Housing Site Allocations Plan (WHSAP) with the source referenced (and annotated 'formal adoption pending' if needs be).
- The second and third should show each of the allocated sites at a scale that can ensure that the site boundaries have unambiguous clarity.

The related wording needs to provide clarity rather than revisiting the now completed review.

#### **Recommendation 30:**

Under the heading "3.3 Site Allocations":



30.1 Revise the map on page 32 and its title primarily to show and footnote reference the revised Tisbury Settlement Boundary from the Wiltshire Housing Site Allocations Plan (WHSAP) but also to identify the location of the sites (without description) that are the subject of Policies BL.7 and BL.8; include larger scale site boundary maps with Policies BL.7 and BL.8.

30.2 Reword paragraph 1 as:

*'The Tisbury Settlement Boundary has been reviewed within the Wiltshire Housing Site Allocations Plan (WHSAP) <sup>[footnote]</sup> and this is shown on the adjacent map. Wiltshire Core Strategy paragraph 4.16 says "there is a general presumption against development outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres [which include Tisbury] and Large Villages. Core Policy 1 within the same document says that "Local Service Centres will provide for modest levels of development in order to safeguard their role and to deliver affordable housing".'*

### **Buildings BL.7 Site Allocations: Station Works**

In relation to paragraph 2, since the site is no longer in the ownership of St Modwen Properties (and generally land ownerships can change over the lifetime of a Plan) some updating/simplification is required for clarity. In paragraph 3 it is stated that "part of the access, which now, following the review in 2018, has been brought inside the housing policy boundary". However earlier it was indicated that it is the "settlement boundary" that is under review. In paragraph 5 (top of page 34) there is reference to "the entire housing requirement for Tisbury over the plan period" being met, but as noted earlier, the requirement for the whole Plan period may not yet be known. The footnote related to this paragraph is also now out of date. In paragraph 9 it should be noted that in addition to the need to be "sensitive to the needs of a residential area", the rural location within an AONB is also a significant factor.

Planning Practice Guidance says: "Plans should be prepared positively, in a way that is aspirational but deliverable..... Neighbourhood plans may [also] contain policies on the contributions expected from development, but these and any other requirements placed on development should accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy." (Paragraph: 005 Reference ID: 41-005-20190509). Many issues raised in representations are about the constraints included within the allocation policies (and/or the supporting text) and their potential to impact on the deliverability of a site. Expectations, whether indicated in the supporting text or within Policies, therefore need to be tempered to those matters which are deliverable and have supporting evidence. If a masterplan is to be required and an "innovative approach" invited (para 13, page 35) then those must be reflected appropriately in the text.

### **Recommendation 31:**

*Under the heading "Buildings BL.7 Site Allocation: Station Works*

*31.1 In paragraph 2 reword the first sentence as:*

*'Since 2002 the Station Works site has been the subject of two planning applications which proposed mixed use developments.'*

*31.2 Delete the last sentence in paragraph 3 which commences "They also...".*

*31.3 Reword paragraph 5 and delete footnote 15 as follows:*

*'A mixed use, comprehensive development of the Station Works site has the potential to make a significant contribution to meeting local housing and business needs.'*

*31.4 In paragraph 9:*

*31.4.1 Reword the first sentence as: 'The type of businesses that could be located on the Station Works site must be sensitive to the rural location within the AONB and to*

*residential amenities which suggests that uses should be limited to Use Class B1 rather than warehousing and distribution’.*

*31.4.2 In the second sentence of paragraph 9 replace “would” with ‘could’.*

*31.5 Delete paragraphs 11 and 12 other than the first sentence which should become the first sentence of the current paragraph 13; in paragraph 13, third sentence, replace “will expect” with ‘expects’.*

*31.6 Under the sub-heading “Promoting sustainable transport in and around the site”:*

*31.6.1 In paragraph 1 delete reference to “para 17” as this relates to a now-replaced version of the NPPF.*

*31.6.2 Delete paragraph 2 as the content duplicates other content within this section.*

*31.7 Under the sub-heading “Development constraints and mitigation”:*

*31.7.1 Within bullet point 2 replace “appropriate across the whole site” with ‘feasible on all parts of the site’.*

*31.7.2 Within bullet point 6 capitalise the words ‘Management Plan’.*

*31.7.3 Delete paragraph 2 as the content duplicates other content within this section.*

*31.7.4 Reword the second sentence of paragraph 2 as: ‘TisPlan recognises that an appropriate balance will need to be reached between the commercial expectations for the site and the aspirations of the community.’*

#### **Policy BL.7 Site Allocation: Station Works**

The owners of the site comment that “if the TisPlan really wants to transform the site, then it needs to ensure that the [BL.7] policy is flexible and does not overburden the site with unrealistic expectations”. The owners also question the need for a “masterplan” as, in their view, it would be possible to “evolve a scheme through the planning application process”. However the Qualifying Body has commented that “masterplans developed in partnership with the local community, LPA and developer are a requirement of Core Policy 2 of the Wiltshire Core Strategy for strategically important sites and more generally required within the supporting text and although this site does not form a strategic site as part of CP2 it is important to the Tisbury Community and is in effect strategic to Tisbury. The community also want to ensure a good development is delivered. Tisbury wish to follow the example of the Wiltshire Core Strategy and is felt to be a reasonable approach. A masterplan approach does not need to be too onerous; the community simply asks to be part of and consulted on the masterplan development so that this can be agreed with the community prior to any planning application being submitted and thereby reducing or eliminating any objections that maybe received if a planning application is submitted ‘cold’. This would also enable any discussion to be had with the new owners over why or not they are proposing to include any elements of infrastructure requested and enable discussion with Network Rail.”

I note that the Local Planning Authority and the owners are both saying that planning proposals or a masterplan should be afforded the opportunity to arrive at viable proposals within specified but not absolute constraints. On page 36 of the Neighbourhood Plan it is stated that “the number of dwellings that would be appropriate for such a mixed site has been very carefully considered “, but in fact no viability testing at the level of detail implied has been undertaken and, as the owners point out, the nature of the housing mix may suggest other than a blanket approach to housing density. The NPPF expects that Plans promote the effective use of land (section 11) and this will not be served by housing numbers being prescribed in the abstract, not least because it is acknowledged that “The risks and potential impacts associated with the development of Station Works are significant” (page 36). Planning proposals or a masterplan might therefore more appropriately be required to ‘address and justify’ their approach having regard to specific elements, such as phasing, and contamination identified, archaeology, addressing housing needs, business

needs, railway needs, habitats, traffic, etc. This would operate within the framework of other non-site-specific policies within the Plan (and the Core Strategy).

The Qualifying Body has correctly drawn attention to the fact that a Habitats Regulation assessment was undertaken on the Regulation 14 consultation draft of the Neighbourhood Plan which recommended that 'Housing numbers and a housing trajectory needs to be provided and included in the Council's phosphate model before the plan is adopted'. "The assessment then concluded that 'If any of these recommendations are not implemented, I advise it could be unlawful for the Neighbourhood Plan to be adopted unless a further appropriate assessment has been undertaken and has concluded that the plan would not have an adverse effect on the integrity of the relevant SACs'. As a result, the Tisbury NP Steering Group felt it was necessary to identify a number of dwellings that the Station Works site could accommodate in order for a Habitats Regulations Assessment to be able to make a conclusion especially with regard to phosphate load. There was much thought and discussion amongst the community and with the two Parish Councils as to what level of housing would be appropriate rate for the site. The Steering Group would therefore be willing for the plan to be amended to be less prescriptive and for development mix to be determined through a master-planning process that is undertaken in conjunction with the local community. However, the Group is conscious of the need for the plan to be in accordance with the Habitat Regulations. Discussion with the Council confirms that flexibility can be introduced to the Policy so long as the wording within the Council's response to the Plan regarding Policy HNA.3 is introduced and that the Examiner ensures that wording with respect to Chilmark Quarries SAC is amended in line with the Habitat Regulations Assessment submitted with the Council's response....The updated Habitats Regulations Assessment prepared by Wiltshire Council includes a recommendation that item 11 in the Policy be reworded to: "All necessary species and habitat surveys must be carried out to determine the extent to which the development would affect the bat species that are features of the Chilmark Quarries SAC and appropriate measures taken to avoid and mitigate impacts to roosts, foraging and commuting habitats." Accordingly the recommendations in this Report will ensure that the requirements of the Habitats Regulations are met as per the Basic Conditions.

### **Recommendation 32:**

*Within Policy BL.7:*

*32.1 Reword paragraph 1 as:*

*'The site of Station Works, as identified on the adjacent map, is allocated for comprehensive redevelopment to include an appropriate balance of housing, commercial units and parking. The mix for the development should be informed by a viability test. Development proposals should be set down in a Masterplan which has been the subject of consultation with the community and the other interested parties. The Masterplan should indicate the phasing and infrastructure requirements and how their delivery will be assured. Once agreed, development should proceed strictly in accordance with the Masterplan.'*

*32.2 In paragraph 2:*

*32.2.1 Reword bullet point 1 as: 'Proposals should be informed by a contaminated land survey and remediation scheme, the level of information provided to be in line with the Wiltshire Core Strategy.'*

*32.2.2 Reword bullet point 2 as: 'Liaise with Network Rail (and other parties as required) to identify and safeguard land to meet their current and future operational requirements including appropriate access and parking provision for the southern side of the line.'*

*32.2.3 In bullet point 3 replace "an appropriate pedestrian access" with 'appropriate pedestrian accesses' and delete the second sentence.*

*32.2.4 Reword bullet point 4 as: 'The estimated capacity of the site is 60 dwellings in two storey buildings plus commercial uses, but density overall must be appropriate*

*for the edge of a rural settlement in an AONB with the potential to impact on the Conservation Area and two Special Areas of Conservation (SAC) (the River Avon SAC and the Chilmark Quarries SAC).'*

*32.2.5 Reword the opening to bullet point 5 as: 'The Masterplan design and layout should detail the proposed.'*

*32.2.6 Reword the first sentence of bullet point 6 as: 'Make appropriate provision for affordable housing in accordance with Policy BL.2, at a minimum level of 30% in accordance with Wiltshire Council Core Policy 43.'*

*32.2.7 Reword bullet point 7 as: 'Make provision for commercial uses, having particular regard for the needs of local and current on-site business, in accordance with Policy BL.3.'*

*32.2.8 Delete from bullet point 8 "exact mix".*

*32.2.9 Delete from bullet point 9 the bracketed reference to Appendix 4 and from the third sentence delete "Any" so that the sentence begins with 'Landscaping...'*

*32.2.10 In bullet point 10 replace "appropriate to the style of traditional buildings in" with 'which predominate on'.*

*32.2.11 In accordance with the Habitats Regulations Assessment replace bullet point 11 with: 'All necessary species and habitat surveys must be carried out to determine the extent to which the development would affect the bat species that are features of the Chilmark Quarries SAC and appropriate measures taken to avoid and mitigate impacts to roosts, foraging and commuting habitats.'*

*32.2.12 Delete bullet points 13 (not required) and 14 (not a land use matter).*

*32.3 Add a map showing the allocated site at a scale that can ensure that the site boundaries have unambiguous clarity.*

Policy BL.7 as amended meets the Basic Conditions.

### **Buildings BL.8 Site Allocation: Site of the Former Sports Centre Adjacent to St John's Primary School**

The Council, as owners of the site, questioned in their representation the basis for this allocation. The representation notes that the Council's Education Team has indicated that the site is not required for school expansion, other than some parking provision, and the new Nadder Centre satisfies the need for community facilities. Accordingly it is suggested that the Policy should be deleted or the Policy amended to support non-specific development of the site (with the Council indicating that some residential use could be appropriate).

The representation from the Nadder Community Land Trust also indicates from discussions with the school that there is no presently identified need for school expansion on the site but there is a need for improved traffic circulation/parking arrangements which the Trust believes could be incorporated within a community-led affordable housing development of the site. However, this would not accord with Policy BL.8 as it is currently worded.

#### **Recommendation 33:**

*Under the heading "Buildings BL.8 Site Allocation: Site of the Former Sports Centre Adjacent to St John's Primary School" reword paragraphs 2 & 3 as: 'St John's Primary School has indicated the desirability of reserving a small part of this site to improve traffic circulation/parking at the School. The Nadder Community Land Trust has indicated that such arrangements could be incorporated within a community-led affordable housing development of the site. Accordingly the site is allocated for uses which would benefit the community such as the provision of housing to meet identified housing needs.'*

## **Policy BL.8 Site Allocation: Site of the Former Sports Centre Adjacent to St John's Primary School**

The Qualifying Body acknowledged the feedback from the School that they are unlikely to require the old sports centre site for school expansion. They have clarified that the intention of Policy BL.8 is to try to safeguard the site for the benefit of the community, potentially including the provision of community-led housing. The Steering Group had endeavoured to word the policy in such a way that it would not preclude development by a community land trust and indicated acceptance of a re-word the Policy to that effect.

### **Recommendation 34:**

*34.1 Reword Policy BL.8 as:*

*'The site of the former Sports Centre as identified on the adjacent map is allocated for redevelopment and, in principle, uses which meet community needs, such as community-led housing provision, will be supported subject to:*

- i) appropriate alternative measures that address the condition relating to this site attached to Planning Consent 14/04907/FUL (Tisbury Nadder Campus), and*
- ii) addressing of the reasonable requirements of St John's School relating to improved traffic circulation/parking arrangements, and*
- iii) a design that is sensitive to the adjacent countryside and other uses, including the safeguarding of the children at the school.'*

*34.2 Add a map showing the allocated site at a scale that can ensure that the site boundaries have unambiguous clarity.*

Policy BL.8 as amended meets the Basic Conditions.

### **3.4 Action Points**

No comments.

## **Section 4: Transport**

### **4.1 Background and Rationale**

Annexe 12 as referenced at the foot of page 42 does not exist within the on-line listing.

### **Recommendation 35**

*Review the footnote Annexe references on page 42.*

### **4.2 TR Policies**

Paragraphs 7 and 9 make the same basic point which is not pursued through Plan policies and therefore this duplication should be removed.

The logic of the argument in paragraph 11 is questionable. If all one-bed properties are required to provide two parking spaces – which has design implications – then this does nothing directly to improve the parking position on the High Street. Indeed by facilitating the use of two cars per small household the pressure on High Street parking may, arguably, be exacerbated. The Qualifying Body has provided 2011 Census figures that it notes show that car ownership in West Tisbury is higher than Wiltshire and the South West whilst Tisbury overall is higher than the South West. However, the combined figures for the two Parishes show that, compared to Wiltshire, the Neighbourhood Area has more non-car owning households and fewer households with 2 cars or vans. None of the differences noted is more than marginal and the data is now 8 years old.

Government policy on provision for car parking starts from a different place. Whilst I am examining against the NPPF 2012 the most up-to-date indication of policy is provided by the NPPF 2019 which says (para 102) "patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high

quality places” and (para 105) “If setting local parking standards for residential and non-residential development, policies should take into account: a) the accessibility of the development; b) the type, mix and use of development; c) the availability of and opportunities for public transport; d) local car ownership levels; and e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles”.

Whilst there may be a basis for requiring developers to address the criteria set down in the NPPF para 105, the TR.1 Policy justification has not looked at the issue in the round and I cannot conclude that there is sufficient evidence to justify a one-off Policy for the Neighbourhood Area. Whilst the Action Points are not matters for the Examination I note that one point relating to Policy TR.1 may as a consequence be redundant whereas ‘keeping the options for additional High Street parking under review’ perhaps ought to be added.

See also the comments on TR.3 Innovative Parking Solutions.

**Recommendation 36:**

*Under the heading “Transport TR.1 Parking Provision”:*

*36.1 Delete paragraph 7.*

*36.2 In paragraph 11 on page 44 delete the last sentence that begins “Therefore, all new dwellings ...”.*

*36.3 Pick up the paragraph on innovative ideas from Policy TR.3 – see below.*

**Transport TR.1 Parking Provision**

As noted above, the paragraphs relating to a Neighbourhood Area residential parking standard need to be removed. Whilst paragraph 3 relates to a legitimate concern it needs to be positively phrased. Paragraph 4 refers to “allocations” which has the potential to confuse. The representation from the Local Authority has suggested that the paragraph 5 might be extended to include non-residential parking and this has been agreed by the Qualifying Body. Paragraph 6 addresses a financial matter that more properly sits within the Action Points. For clarity paragraph 7 needs to acknowledge that it derives from the Wiltshire Core Strategy.

**Recommendation 37:**

*Within Policy TR.1 Parking Provision:*

*37.1 Delete paragraphs 1 & 2 but replace these with a consideration picked up from the preamble to Policy TR.3: ‘Where required, additional parking provision should be sensitive to its AONB or Conservation Area location and should be integrated within its setting, where applicable using innovative approaches.’*

*37.2 Reword paragraph 3 as: ‘Development proposals must suitably replace any on- and off-street parking that is displaced’.*

*37.3 Reword paragraph 4 as: ‘The layout of parking areas should be sensitive to different mobility requirements (e.g. the needs of people with disabilities and families with pushchairs).’*

*37.4 In paragraph 5 replace “residential development” with ‘developments’.*

*37.5 Move paragraph 6 to the Action Points on page 53.*

*37.6 Add to paragraph 7 ‘(in accordance with Core Policy 41 of the Wiltshire Core Strategy)’.*

Policy TR.1 as amended meets the Basic Conditions.

## **Transport TR.2 Tisbury Railway Station**

No comment

### **Policy TR.2 Tisbury Railway Station**

The representation from the Local Planning Authority questions whether it is reasonable to assume that improvements to the station would result in an improved rail service for Tisbury; they believe that further investigation is required. They also note that “a partnership between railway, local authority and other bodies is required”, a view endorsed by the owners of the Station Works site. It would seem that Policy TR.2, and the Qualifying Body endorses this view, should seek to ensure a working partnership between the interested parties rather than be prescriptive about the nature of improvements, the viability of which has yet to be assessed. The representation from Network Rail notes the preliminary nature of current plans but acknowledges that the “interdependencies between the Station Works site and potential future [railway] needs have been referenced” within the Plan.

#### **Recommendation 38:**

*Reword Policy TR.2 Tisbury Railway Station as:*

*‘Development at or within the environs of the Tisbury Railway Station that protects and enhances the existing railway service will be supported. To ensure the necessary co-ordination, proposals should be developed in conjunction with the Local Planning Authority, Network Rail and other interested parties as appropriate.*

*Proposals should have appropriate regard for the following:*

- 1. Increasing and accommodating the use of public transport - train, bus and taxi.*
- 2. Accommodating sustainable travel needs, such as pedestrian accesses, bicycle shelters and electric car charging points.*
- 3. Extending car parking in line with the levels of station usage.*
- 4. The requirements of the Tisbury Conservation Area and the Victorian character of the station buildings.*

Policy TR.2 as amended meets the Basic Conditions.

## **Transport TR.3 Innovative Parking Solutions**

### **Policy TR.3 Innovative Parking Solutions**

I am unclear what the target audience for Policy TR.3 might be. Although at the heart of Policy TR.3 there is an important consideration omitted from the main parking Policy TR.1, the majority of the content is not a Policy but a musing on ideas that might be put into the heads of developers, but with no consideration of their viability. Development Plan Policy must be about guidance not suggestions. Accordingly I have under Policy TR.1 added a consideration taken from this preamble to Policy TR.3 but in all other respects the TR.3 content is inappropriate. However, so that the thoughts on encouraging innovation are not lost I suggest that some of the Policy content is moved to the pre-amble to Policy TR.1.

#### **Recommendation 39:**

*Delete the preamble to and paragraph 1 of Policy TR.3 but move Policy paragraph 2 to the pre-amble for Policy TR.1 – after the last paragraph on page 44 – deleting bullet point 3 (not an innovation) and bullet point 8 (already covered in Policy TR.1) and reword the introduction as: ‘Innovative solutions may be appropriate for new or expanded parking provision and amongst the range of possibilities could be:....’.*

## **Transport TR.4 Traffic Impact, Road Safety and Maintenance**

It is unclear why “maintenance” – a non-land-use matter - might be relevant here.

**Recommendation 40:**

40.1 Reword the title to section TR.4 (and the related Policy) as: 'Traffic Impact and Road Safety'.

40.2 Correct the minor error in the last sentence of paragraph 3 on page 49 replacing the semi-colon between "Nadder Centre" and "has" with a comma.

**Policy TR.4 Traffic Impact, Road Safety and Maintenance**

It would seem that this Policy has the potential to confuse rather than add to the more comprehensive requirements of Wiltshire Core Policy 61. The Local Planning Authority notes that this Policy would not be relevant to minor developments and extensions; it should probably relate to "developments that will generate significant levels of additional traffic". The representation from the AONB Partnership questions the inclusion of the suggestion of "traffic calming measures" since these can have an adverse impact on local character. The Qualifying Body has indicated some acceptance of these points.

**Recommendation 41:**

Within Policy TR.4, renamed as 'Traffic Impact and Road Safety':

41.1 Reword paragraph 1 as:

*'Developments that will generate significant levels of additional traffic should include within their Transport Statement consideration of how traffic impacts will be mitigated to ensure that the rural character of the AONB and its villages and hamlets will be conserved.'*

41.2 In paragraph 2:

41.2.1 Reword the opening as: *'Through engagement with landowners and Wiltshire Highways new development should seek to address, where feasible:...'*

41.2.2 In bullet point 3 add 'appropriate' between "of" and "traffic".

41.3 Delete paragraph 3 since this is not a land use matter.

Policy TR.4 as amended meets the Basic Conditions.

**Transport TR.5 Sustainable Transport**

A representation questions the accuracy of the statement on page 50 that "The only HGV route is via the A303 and through the archway at Fonthill Bishop". The Qualifying Body responded that "there is just one officially signed HGV route into Tisbury that is via the A303. This is due to the narrow roads that service Tisbury." The wording therefore needs slight amendment.

**Recommendation 42:**

Under the heading "Transport TR.5 Sustainable Transport"

42.1 In the second sentence of paragraph 4 add 'officially signed' between "The only" and "HGV route".

42.2 In the final paragraph on page 52 delete "(Policy CIL.1 Planning Gain)".

42.3 Add a source reference to the map on page 51.

**Policy TR.5 Sustainable Transport**

As with Policy TR.4 above, this Policy would not be relevant to minor developments and extensions. No single development could be expected to address or achieve the wide-ranging aspirations for this Policy; some modification of the wording is therefore required. Paragraph 2 includes both a positive and negative expression of an expectation; the former is what the NPPF expects and the latter is not needed/appropriate.



**Recommendation 43:**

Within Policy TR.5:

43.1 Reword the opening as:

*“Wherever feasible, major new development should contribute to the achievement of a safe, walkable/cyclable village with integrated pathways/cycleways connecting to its centre and amenities; this might include:...”*

43.2 Reduce bullet point 1 to: *‘Circular walking routes.’*

43.3 Reduce bullet point 2 to the first sentence only.

43.4 Commence bullet point 3 as *‘Improving..’* and delete the reference to Appendix 4.

43.5 Commence bullet point 4 as *‘Providing...’*.

43.6 Within bullet point 5 delete *“will be encouraged”*.

43.7 Delete bullet point 6 as it is covered elsewhere.

43.8 Delete bullet point 7 as the content for planning applications is prescribed nationally.

Policy TR.5 as amended meets the Basic Conditions.

**4.3 Action Points**

No comment.

**Section 5: Employment and Business****5.1 Background and Rationale**

No comment.

**5.2 EB Policies**

The Local Planning Authority representation supports the approach to employment and business.

**Policy EB.1 Promoting Employment Activity**

It is unclear what “actively embrace sustainability (as defined in the NPPF)” might imply for those making and assessing proposals –the criteria as a whole should be sufficiently suggestive of what will allow a proposal to be acceptable. Criterion 2 needs to be worded positively. In criterion 4 the expectation that “[broadband or equivalent] should be operational before a development is occupied” is a matter outside of the direct control of the developer.

***See below for Recommendations relating to Policy EB.1.***

**Employment and Business EB.2 Protecting Business and Employment Activity**

The preamble to Policy EB.2 is expressed in terms of “will be resisted” whereas the Policy is more appropriately expressed in terms of an orderly process. As the preamble notes, “As the business community evolves, some premises may fall into disuse”. No evidence has been produced to suggest that “resisting” the change of use of smaller buildings, beyond that already allowed by permitted development, would be likely to produce a positive rather than a negative result; not all buildings can offer the level flexibility that Policy EB.2 expects. The Qualifying Body has commented that “The aim of Policy EB.2 was to try to safeguard the smaller employment premises, especially in the centre of Tisbury and also the outlying farm properties which are gradually being converted to residential use by permitted development”, but permitted development is beyond the scope of a Neighbourhood Plan to amend. And

hard economics must also be a factor in play here. Arguably Policy EB.1 might work against Policy EB.2 since it encourages new businesses to locate everywhere but within existing employment buildings. On balance therefore I conclude that most clarity would be provided by the merging of Policies EB.1 & EB.2.

**Recommendation 44:**

44.1 Merge the preambles to Policies EB.1 and EB.2 by:

44.1.1 Amend EB.1 paragraph 12 by adding 'need' in the first sentence between "also" and "to be addressed" and reword the second sentence as: 'Traffic impact assessments and innovative methods of mitigation (eg the use of zero-carbon delivery vehicles) are encouraged.'

44.1.2 Add to EB.1 paragraph 13 and between paragraphs 13 and 14 the EB.2 paragraphs 3, 4, 5, 6, 7, the first sentence of paragraph 9, and paragraph 10 excluding "any adverse impact such as change of use to accommodation, will be resisted".

44.1.3 Delete the remaining content of the preamble to Policy EB.2.

44.2 Merge Policies EB.1 and EB.2 to form a new Policy EB.1 as follows:

44.2.1 Reword the opening sentence as:

'To protect the economic sustainability of Tisbury as a Local Service Centre serving the AONB within South West Wiltshire, in principle proposals for new business and employment will be welcomed provided that.'

44.2.2 Add a new criterion 1:

'Sustainable locations are chosen, and the reuse of previously developed (brownfield) sites and buildings, including derelict buildings, is especially encouraged.'

44.2.3 Reword the existing criterion 1 as criterion 2:

'Appropriate regard is demonstrated for the AONB landscape, its rural character and the Conservation Area'.

44.2.4 Reword criterion 2 positively as a new criterion 3:

'Traffic generation from the proposal is appropriate to a rural location and its road infrastructure.'

44.2.5 Retain the existing Policy EB.1 criterion 3 as criterion 4.

44.2.6 Add a new criterion 5:

'Proposals requiring a planning consent that would result in the loss of an employment use should provide evidence that appropriate steps have been taken to remarket the premises for alternative employment uses. The retention of retail and public buildings within the centre of Tisbury is considered vital to its Local Service Centre status.'

44.2.7 Reword the first sentence of the existing criterion 4 as a new criterion 6:

'Appropriate provision for high-speed communications infrastructure is integrated within the development'; retain the second sentence.

The revised Policy EB.1 as amended meets the Basic Conditions.

**5.3 Action Points**

No comment.

**Section 6: Leisure, Community and Well-being**

**6.1 Background and Rationale**

No comment.

**6.2 LCW Policies**

**Leisure, Community and Well-being LCW.1 – Local Green Spaces**

The wording of footnote 4 on page 62 is inappropriate for a Plan just about to become part of the Development Plan. Footnote 5 does not follow the very specific wording of the NPPF and therefore, to avoid misleading readers, it should be deleted. Similarly the footnote to the table on page 63 is inappropriate since there is no NPPF measure that relates to the total area of designated Local Green Spaces. On querying the basis for the designation of proposed LGS.6 “Corner of The Avenue” I was advised that this is a very noticeable green space at a main point of entry into the village which is particularly valued by local residents some of whom have planted trees and spring-flowering bulbs in memory of deceased relatives; therefore the “purpose for designation” should reflect this.

**Recommendation 45:**

*Under the heading “LCW Policies”:*

*45.1 In paragraph 5 the NPPF paragraph reference should be updated to the 2019 version: ‘(para 100)’.*

*45.2 On page 62 delete footnotes 4 & 5 and consequently renumber footnote 6 (and subsequent footnotes).*

*45.3 On page 63 amend the tabulation of “LGS” by:*

*45.3.1 Rewording the “purpose for designation” entry for “LGS.6” as ‘Prominent entry to village and residents’ memorials’.*

*45.3.2 Delete the footnote to the table commencing “The total area...”.*

**Policy LCW.1 Local Green Spaces**

Within Policy LCW.1 in the first sentence the wording needs to say ‘are’ rather than “will be” designated and the word ‘value’ has been omitted at the end. The wording of the second sentence has been taken from the NPPF but it is not necessary to repeat this within the Policy. Four corrections agreed with the Qualifying Body are required on the related Policy map on page 64. Rather than include the birds-eye images (on page 65), since it is vital that the exact boundary for each Local Green Space can be identified with absolute clarity, there should be individual, larger-scale maps for each Local Green Space.

A number of representations suggested other areas with potential for designation but the list of Local Green Spaces could not be extended without a further round of consultation.

**Recommendation 46:**

*Within Policy LCW.1:*

*46.1 Amend the first sentence as:*

*‘The outdoor recreation and amenity areas identified on the adjacent map are designated as Local Green Spaces due to their particular local significance for the community and their recreational, historic and/or environmental value’; delete the second sentence.*

*46.2 Amend the related map on page 64 to:*

*46.2.1 Exclude the community orchard part of the site of LGS.1.*

*46.2.2 Correct the boundary for LGS.3 so as not to overlap the river.*

*46.2.3 Correct the boundary of LGS.5 to exclude the car parking area to the north.*

*46.2.4 Add LGS.6 which has been omitted to the map and the key.*

*46.3 In place of the birds-eye images on page 65, include individual, larger-scale maps for each Local Green Space from which the exact boundary can be identified with absolute clarity.*

Policy LCW.1 as amended meets the Basic Conditions.

## **Leisure, Community and Well-being LCW.2 Community Assets and Community Re-development**

The Qualifying Body has confirmed that the listed community buildings have yet to be designated as Assets of Community Value and the definitive list has yet to be agreed; the designation process is separate from Neighbourhood Plans. To avoid confusion therefore the preamble and Policy LCW.2 should refer to community buildings rather than “assets”.

### **Recommendation 47:**

*Under the heading “Leisure, Community and Well-being LCW.2 Community Assets and Community Re-development”*

*47.1 Retitle LCW.2 as ‘Community Buildings and their Improvement’ and throughout the preamble replace “asset(s)” with ‘building(s)’.*

*47.2 Delete paragraphs 5 & 6 including footnote 7.*

## **Policy LCW.2 Community Assets and Community Re-development**

For clarity, Policy LCW.2 needs to include the list of community buildings on page 66. In relation to the second paragraph it is unclear who would judge “the preferred option” and how this might be assessed.

### **Recommendation 48:**

*Reword Policy LCW.2 as:*

*‘Proposals that retain or enhance community buildings (Victoria Hall, Elizabeth Hall, Nadder Centre, Methodist Hall, Hinton Hall, Catholic Church Reading Room, Tisbury Parish Council Reading Room) are encouraged provided they:*

- 1. Allow for the existing use(s) to be sustained, and*
- 2. Accommodate community-led development of community facilities as required.*

*The loss of a community building will only be acceptable where:*

- 1. An equivalent or better replacement building is provided at another suitable location, or*
- 2. It can be robustly demonstrated that all or part of a community building is no longer valued by the community either in its present use or alternative community uses.’*

Policy LCW.2 as amended meets the Basic Conditions.

## **Leisure, Community and Well-being LCW.3 Amenity Space**

In my copy (and the on-line version) the picture on page 67 appears to obscure parts of the text including the part to which footnote 9 is referenced. Footnote 9 references an incorrect Annexe.

### **Recommendation 49:**

*On page 67 correct the formatting of the image on page 67 and review the Annexe referenced in footnote 9.*

## **Policy LCW.3 Amenity Space**

Policy LCW.3 is obscure as to the scale of provision that would be “commensurate with the size” of a housing development and therefore its impact on the viability of developments is impossible to assess. The Wiltshire Core Policy 52 refers to both the Wiltshire Open Space Standards and the Wiltshire Green Infrastructure Strategy; it is unclear whether Policy LCW.3 intending to address both of these aspects.

The Qualifying Body has clarified that the aim of LCW.3 was to try to ensure that developers, where relevant, work with the local community to deliver amenity space and leisure provision in line with community requirements rather than making assumptions about what might be appropriate.

**Recommendation 50:**

Within Policy LCW.3:

50.1 Reword the opening sentences, before the four bullet points, as:

*'In fulfilling the obligations set down in Wiltshire Core Policy 52, development proposals should seek to identify and address community amenity requirements, accessible for those with additional mobility requirements, which might include:'.*

50.2 Replace "Infrastructure that facilitates" in bullet point 4 with 'Pedestrian and cycle pathways that allow'.

50.3 Delete paragraph 3.

**6.3 Action Points**

No comment.

**Section 7: Planning Gain: Potential Use of Community Infrastructure Levy (CIL) Monies**

As Policy CIL.1 addresses a financial mechanism rather than a land use matter it is in effect the equivalent of the Action Points attached to other sections of the Plan. As the Local Planning Authority representation indicates, the Neighbourhood Plan can only reasonably identify priorities for the spending of the neighbourhood portion of the CIL. Another representation notes the potential application of CIL funding at Shaftesbury School.

**Recommendation 51:**

*Re-present, and amend as appropriate, this section in the style of the Action Points for the Parish Councils used elsewhere in the Plan document.*

**Appendices and Annexes**

Although no index is provided within the Plan document, the online list of Appendices and Annexes (the difference is unexplained) is extensive; and yet relatively few of these are referenced within the Plan (and as noted above, some references that do exist are wrong and one Appendix reference should be deleted). As a Development Plan document the Neighbourhood Plan should be readily useable although some background material may be usefully available on the Neighbourhood Plan website. It is my recommendation that the Appendices and Annexes are reviewed, rationalised and then renumbered to be a logical set of documents (named either Appendices or Annexes) from which the Plan draws. I tabulate below some suggestions that might form the basis for the review.

**Recommendation 52:**

*Ensure that the Plan Appendices and Annexes are reviewed, rationalised and then renumbered to be a logical set of documents (named either Appendices or Annexes) from which the Plan (including the Action Points) draws; check and amend as necessary the footnote references in the Plan to the final list of documents.*

<b>Website list</b>	<b>Action suggestion</b>
Appendix 1 TisPlan Evidence Base	This is essentially an index for all the subsequent documents and should be retained in that function.
Appendix 2 Tisbury and West Tisbury neighbourhood area designation	This is a helpful document to reference and have readily available via a Plan footnote.
Appendix 3 Local history of the TisPlan area	This is a helpful supplement to the Plan content and appropriate to have readily available via a footnote.

Appendix 4 Design code and visual impact	The reference to this Appendix has been deleted and therefore this document is not needed.
Appendix 5 TisPlan Local Greenspace Evidence Base	This is important evidence and appropriate to have readily available via a Plan footnote.
Appendix 6A AECOM Site Assessment report and appendix	This is important evidence and appropriate to have readily available via a footnote (although it would be helpful to have a single document as is implied in the footnote).
Appendix 6B AECOM Site Assessment report proforma	This is important evidence and appropriate to have readily available via a footnote (although it would be helpful to have a single document as is implied in the footnote).
Appendix 7 AECOM Strategic Environmental Assessment	This is essentially part of the evidence for the Basic Conditions Statement and therefore it need not be attached as an Appendix to the Plan.
Appendix 8 Basic Conditions Statement	This is a helpful document to reference and have readily available.
Appendix 9 TisPlan Consultation Statement	This is a helpful document to reference and have readily available.
Appendix 10 Summary of July 2014 Consultation Feedback	This might be regarded as part of the evidence for the Consultation Statement and therefore it need not be attached as an Appendix to the Plan.
Appendix 11 Summary of September 2014 consultation feedback	This might be regarded as part of the evidence for the Consultation Statement and therefore it need not be attached as an Appendix to the Plan.
Appendix 12 TisPlan questionnaire	This might be regarded as part of the evidence for the Consultation Statement and therefore it need not be attached as an Appendix to the Plan.
Appendix 13 Analysis of results of TisPlan questionnaire	This is a helpful document to reference and have readily available via a Plan footnote.
Appendix 14 Report re Tisbury community feedback day	This might be regarded as part of the evidence for the Consultation Statement and therefore it need not be attached as an Appendix to the Plan.
Appendix 15 Analysis of local employment survey	This might be regarded as part of the evidence for the Consultation Statement and therefore it need not be attached as an Appendix to the Plan.
Appendix 16 Reg 14 Response form	This is essentially part of the evidence for the Consultation Statement and therefore it need not be attached as an Appendix to the Plan.
Appendix 17 Habitats Regulations Screening (Reg 14) Wiltshire Council	This is essentially part of the evidence for the Basic Conditions Statement and therefore it need not be attached as an Appendix to the Plan.
Appendix 18 Glossary of planning terms	This is a helpful supplement to the Plan content and appropriate to have readily available via a footnote.
Appendix 19 IPE Health Check report	This might be regarded as part of the

	evidence for the Basic Conditions Statement and therefore it need not be attached as an Appendix to the Plan.
Annexe 1 TisPlan questionnaire (October 2015)	This might be regarded as part of the evidence for the Consultation Statement and therefore it need not be attached as an Annexe to the Plan.
Annexe 2 TisVis parish plan report	This might be regarded as part of the evidence for the Consultation Statement and therefore it need not be attached as an Annexe to the Plan.
Annexe 3 Housing needs survey report	This is now out of date and any reference in Section 3 must be to the latest report.
Annexe 4 Wiltshire Council affordable housing allocations policy (section 9)	It will be sufficient to reference this external document that may change over time with a website link.
Annexe 5 TisPlan Community Feedback Day Report (May 2017)	This might be regarded as part of the evidence for the Consultation Statement and therefore it need not be attached as an Annexe to the Plan.
Annexe 6 TisPlan greenspace evidence base	This would appear to be a working document that sits behind Appendix 5 which need not be attached as an Annexe to the Plan.
Annex 7 Tisbury NP site assessment_V2.0_160617	This would appear to be the same document as Appendix 6A.
Annex 8 TisPlan Strategic Environmental Assessment (July 2017) <i>(NB The footnote on page 10 of the Plan suggests incorrectly that Annexe 8 is the Landscape Character Assessment which as an external document could be referenced with a website link).</i>	This might be regarded as part of the evidence for the Basic Conditions Statement and therefore it need not be attached as an Annexe to the Plan.
Annex 9 Tisbury Community Parking Strategy	As a 2010 document that is not referenced within the Neighbourhood Plan it need not be attached as an Annexe to the Plan.
Annexe 10 Salisbury District Council conservation area appraisal	It will be sufficient to reference this external document that may change over time with a website link.
Annexe 11 Tisbury Parish Plan, TisVis	As an archive document it need not be attached as an Annexe to the Plan and the footnote reference can be a website link.
Annexe 12 <i>This Annexe is omitted from the on-line listing but is shown on page 42 of the Plan as "Wiltshire Council Local Transport Plan March 2011".</i>	If the referencing of the Transport Plan is required it need not be attached as an Annexe to the Plan and the footnote reference can be a website link.
Annexe 13 WSP Development and Transportation Report 2009/10	As a 2010 document that is not referenced within the Neighbourhood Plan it need not be attached as an Annexe to the Plan.
Annexe 14 Parking and Traffic Survey report by Cllr S Davison	As an archive document that is mentioned but not referenced within the Neighbourhood Plan it need not be attached as an Appendix to the Plan.
Annexe 15 Tisbury traffic counts data	As an archive document this need not be

	attached as an Appendix to the Plan.
Annexe 16 Historic Landscape Characterisation (AONB)	As an external factsheet it need not be attached as an Annexe to the Plan.
Annexe 17 Historic Environment Action Plan (Area 9 - Vale of Wardour AONB)	It will be sufficient to reference this external document that may change over time with a website link.
Annexe 18 Old Wardour Strategic Masterplan	It will be sufficient to reference this external document that may change over time with a website link.

## Other matters raised in representations

Some representations have suggested additional or expanded content that the Plan might include. However, given that the Neighbourhood Plan sits within the Plan documents as a whole, keeping content pertinent to Tisbury and West Tisbury priorities is entirely appropriate. An individual representation says: “there is a serious inconsistency in how Tisbury treats itself in relation to how it treats the surrounding villages in its Community Area”. However, as noted within the body of this Report, it is a requirement that a Neighbourhood Plan addresses only the “development and use of land” and then solely within the Neighbourhood Area. Even within these restrictions there is no obligation on Neighbourhood Plans to be comprehensive in their coverage – unlike Local Plans - not least because proportionate supporting evidence is required.

Many representations indicate support for all or parts of the draft Plan and this helps in a small but valuable way to reassure that the extensive public consultation has been productive.

I have not mentioned every representation individually but this is not because they have not been thoroughly read and considered in relation to my Examiner role, rather their detail may not add to the pressing of my related recommendations which must ensure that the Basic Conditions are met.

## European Union (EU) and European Convention on Human Rights (ECHR) Obligations

A further Basic Condition, which the Tisbury and West Tisbury Neighbourhood Plan must meet, is compatibility with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

There is no legal requirement for a Neighbourhood Plan to have a sustainability appraisal. However, as the Tisbury and West Tisbury Neighbourhood Plan allocates sites for development a Strategic Environmental Assessment (SEA) was carried out by AECOM (January 2019) “to avoid adverse environmental and socio-economic effects through the Neighbourhood Plan, and identify opportunities to improve the environmental quality of the area covered by the Neighbourhood Plan and the quality of life of residents”. The AECOM Report concluded that TisPlan is likely to lead to significant positive effects in relation to the ‘landscape and historic environment’, the ‘population and community’ and ‘health and wellbeing’ sustainability themes. In relation to the ‘biodiversity’ sustainability theme it was considered that the scope and scale of the proposed policy approaches relating to the natural environment will help ensure that wide ranging benefits in relation to this theme are secured through the Neighbourhood Plan, and appropriate protection provided to key internationally and nationally designated biodiversity sites in the area. It was further concluded that TisPlan will initiate a number of beneficial approaches regarding the



'transportation', 'land, soil and water resources' and 'climate change' sustainability themes. However these were not considered to be significant in the context of the SEA process given the scope of the Neighbourhood Plan and the scale of proposals.

Under Regulation 102 of the Habitats Regulations 2010 (as amended), a competent authority must consider whether a "relevant plan" is likely to have a significant effect on any European sites before deciding to give any consent, permission or other authorisation to the plan. Wiltshire Council therefore undertook a screening assessment in September 2017 to determine whether significant effects are possible on specific European sites. The screening concluded: "This plan should be re-screened before it is adopted. Provided that the proposed housing numbers do not compromise the River Avon SAC NMP and the [above] recommendations for additional wording are incorporated, it should be possible for the plan to be screened out of an appropriate assessment assuming no new significant changes are introduced to the policy proposals." Accordingly a re-screening was undertaken in December 2018; the Report noted *inter alia*: "Taking into consideration the location, scale and nature of proposals in the NDP, there is a mechanism for effect on two European Sites, Chilmark Quarries SAC [Special Area of Conservation] and the River Avon SAC. All parts of the draft plan have been screened for potential impacts which might arise from the plan alone or in combination with other plans and projects. Two policies have the potential to give rise to significant effects and are therefore taken forward to appropriate assessment..". The conclusions from the Appropriate Assessments were – subject to some recommended Policy rewordings – that:

- "Growth of the magnitude anticipated by policy BL.7 will have no adverse effects on the integrity of the River Avon SAC either alone or in-combination with other plans and projects", and
- "Development of the Station Works anticipated by policy BL.7 will have no adverse effects on the integrity of Chilmark Quarries SAC either alone or in-combination with other plans and projects".

I can confirm that my recommendations give effect, to the extent required, to the recommendations in the Appropriate Assessments.

The Basic Conditions Statement submitted alongside the Tisbury and West Tisbury Neighbourhood Plan confirms that "The plan is compatible with human rights legislation, most particularly Article 8 (Right to Respect for Private and Family Life) of the Human Rights Act (1998). TisPlan does not breach Article 8 and there is nothing elsewhere in TisPlan to indicate the potential breach of any other human rights legislation." I am also able to confirm that the Tisbury and West Tisbury Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998. No evidence has been put forward to demonstrate that this is not the case.

Taking all of the above into account, I am satisfied that the Tisbury and West Tisbury Neighbourhood Plan is compatible with EU obligations and that it does not breach, nor is in any way incompatible with, the ECHR.

## Conclusions

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as some of the supporting content, in the Plan. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the Basic Conditions are met. Whilst I have proposed a significant number of modifications, the Plan itself remains fundamentally unchanged in the role and direction set for it by the Qualifying Body.

I therefore conclude that, subject to the modifications recommended, the Tisbury and West Tisbury Neighbourhood Plan:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the Plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations;
- does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d).

**On that basis I *recommend* to the Wiltshire Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Tisbury and West Tisbury Neighbourhood Plan to proceed to referendum.**

### Referendum Area

As noted earlier, part of my Examiner role is to consider whether the referendum area should be extended beyond the Plan area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore ***recommend*** that the Plan should proceed to referendum based on the Neighbourhood Area as approved by the Wiltshire Council on 27<sup>th</sup> July 2015.

**Recommendations:** (this is a listing of the recommendations exactly as they are included in the Report)

Rec	Text	Reason
1	<p>1.1 Amend the Plan period on the front cover and all later references to '2019 – 2036'.</p> <p>1.2 To the document title on the front cover add 'Plan' after "Tisbury and West Tisbury Neighbourhood Development".</p>	For clarity and correction
2	<p>2.1 Review the "Contents" pages once the text has been amended to accommodate the recommendations from this Report.</p> <p>2.2 Add a numbering scheme throughout the document that allows the Sections and their paragraphs as well as policy sub-elements to be readily identified.</p> <p>2.3 Ensure that the source, where applicable, of maps and diagrams is stated and the quality of reproduction is reviewed.</p>	For clarity
3	Remove the text section titled "Introduction to TisPlan: Submission Version" on pages v & vi but retain the "Map of the Tisplan Neighbourhood Area" and the footnote reference to the designation decision; amend the Contents page accordingly.	For clarity
4	Review the use of abbreviations within the Plan text to ensure their use is compatible with the legibility and flow of the Plan.	For clarity
5	<p>Under the heading "How to Use TisPlan":</p> <p>5.1 Delete the sentences beginning "Reference copies of this submission version..." and replace with a sentence as follows: 'This Plan must be read alongside the content and policies of the Wiltshire Core Strategy (and any successor documents) since the documents together are the Development Plan applying within Tisbury and West Tisbury.'</p> <p>5.2 Amend the second paragraph beginning "In order to encourage..." by replacing all the wording that begins with "action points relating to each section ..." with '...Action Points which are separately tabulated at the end of each Section. These do not form part of the land use Neighbourhood Plan (that is part of the Development Plan) and the Tisbury and West Tisbury Parish Councils will address and prioritise these actions.'</p>	For clarity
6	<p>Under the heading "A Summary of the TisPlan Area and its Development Priorities</p> <p>1.1 A Brief Overview":</p> <p>6.1 In paragraph 4, last sentence, replace "AONB" with 'AONB Management Plan'.</p> <p>6.2 In paragraph 11 on page 2 add a source reference to the claim that "Long distance commuting is above average for Wiltshire".</p>	For clarity and correction

	6.3 In paragraph 12 delete “, resulting in above average car ownership”.	
7	<p>Under the “Development Challenges Identified and Addressed by TisPlan” heading:</p> <p>7.1 Add the following footnote source reference to the last sentence of paragraph 2 on page 3:  <a href="http://www.wiltshire.gov.uk/planningpolicydocument?directory=Wiltshire%20Housing%20Site%20Allocations%20DPD/Submission%20July%202018/Community%20Area%20Topic%20Papers&amp;fileref=17">www.wiltshire.gov.uk/planningpolicydocument?directory=Wiltshire%20Housing%20Site%20Allocations%20DPD/Submission%20July%202018/Community%20Area%20Topic%20Papers&amp;fileref=17</a></p> <p>7.2 Add a third sentence to paragraph two as follows:  ‘However, the wider Tisbury Community Area, which includes West Tisbury but also other outlying communities, by 2017 had yet to contribute 142 dwellings against the target set for the period to 2026.’</p> <p>7.3 Replace paragraph 4 with:  ‘The horizon of the Neighbourhood Plan is 2036 which coincides with the horizon date for the current Wiltshire Local Plan Review (LPR). The base date of the LPR is 2016. The current Wiltshire Core Strategy (adopted January 2015) and the Local Plan Review (2016-2036) have overlapping plan periods and therefore commitments identified now will contribute towards meeting future requirements. Data published by the Council in November 2017 (and used during the Local Plan Review Informal Consultation during October and November 2018) suggested that the Salisbury HMA, of which Tisbury and West Tisbury is part, needed to provide 8,250 dwellings between 2016 and 2036 of which approximately 8,000 homes have been built or committed [footnote: para 3.8, Swindon and Wiltshire Joint Spatial Framework Issues Paper, 2017]. Wiltshire Council have commenced the testing of new housing need figures for the period 2016 to 2036, as reported to Cabinet on 30 April 2019 but have not, at the time of publication, published indicative figures to inform Neighbourhood Plans in preparation. Even though this Plan allocates land for additional housing, an early review of the Neighbourhood Plan may therefore become appropriate to ensure that it remains up to date with new strategic policies from the Local Plan Review.’</p> <p>7.4 Delete the sub-section heading “So, if housing and employment targets have been met, what is the point of TisPlan?” and delete the first two paragraphs of this sub-section (with related amendments to the footnotes); delete also the second sentence of paragraph 3, the first sentence of paragraph 4 and “,especially at Station Works and the Magistrates’ Court” from the end of paragraph 6.</p> <p>7.5 Since strategic matters are for the Local Plan Review the last two sentences of paragraph 8 should be replaced with:  ‘The Plan can help to ensure that the redevelopment of available brownfield sites will be prioritised.’</p>	For clarity and correction and to meet Basic Conditions 1 & 3
8	<p>Under the heading “1.3 TisPlan’s Overall Vision and Section Summaries”:</p> <p>8.1 Under the sub-heading “Section 7: Planning Gain: Potential Use of Community Infrastructure Levy Monies” in paragraph 1 delete the words “on most new development,”.</p>	For clarity and correction

	8.2 Footnote 18 on page 5 is incorrect; it will be sufficient to use a web link to the external document that may change over time.	
9	Under the heading “1.4 Achieving Sustainable Development – TisPlan’s Compliance with the Basic Conditions” replace the text with: ‘The Basic Conditions Statement [footnote] submitted with this Plan illustrates the ways in which the Plan Policies both individually and in combination address the requirements for sustainable development with its three aspects: <ul style="list-style-type: none"> <li>• Economic - contributing to building a strong economy: ensuring that sufficient land is available in the right place and at the right time.</li> <li>• Social - providing homes that will meet the needs of future generations, and supporting the community’s health, social and cultural well-being.</li> <li>• Environmental - protecting our environment: using natural resources prudently, minimising waste and pollution, and mitigating climate change.’</li> </ul>	For clarity and to meet Basic Condition 1
10	Add a key to the shaded area and a source to the map on page 9.	For clarity and correction
11	Review the use of Appendix and Annexe references at the foot of pages 10, 11 and 12.	For clarity and correction
12	Within Policy HNA.1: 12.1 In the second sentence add ‘applicable and’ between “where” and “feasible”.  12.2 Within the sentence listed as “4” remove the section relating to Local Green Spaces and amenity spaces to form a separately number element worded as: ‘5. Safeguard the biodiversity value of the designated Local Green Spaces (Policy LCW.1) and amenity spaces (Policy LCW.3).’  12.3 Reword paragraph 2 as: ‘The landscape and biodiversity of the water meadows adjacent to the River Nadder are particularly valued by the local community.’  12.4 Amend the beginning of paragraph 3 to read: ‘In accordance with national procedures, an impact assessment will be required to identify and address any potential risks.....’; delete paragraph 4.  12.5 Remove paragraph 5 to the end of the supporting text on page 28 to read as: ‘The requirements of Wiltshire Core Strategy Policy CP52: Green Infrastructure will also apply.’	For clarity and to meet Basic Conditions 1 & 3
13	On page 14 add a source reference to the map and on pages 14 and 15 review the Annexe referencing and footnote numbering.	For clarity and correction
14	Amend the title of Policy HNA.2 to read ‘Tisbury Conservation Area’ and then within the Policy: 14.1 At the beginning of the first paragraph replace “A” with ‘Any’.	For clarity and correction

	<p>14.2 In paragraph 2 delete the first sentence and the part of the second sentence that comes after “(2009 and subsequent revisions thereof)”. For consistency also delete the related reference in the supporting text at paragraph 3 on page 17 – sentence commencing “See Appendix 4.....”.</p> <p>14.3 Reword the opening of paragraph 3 as: ‘To be supported, proposals must identify and address appropriately any impacts on the following: ....’.</p> <p>14.4 Reword paragraph 4 as follows: ‘The mainly Victorian character of Tisbury High Street, with its historic frontages of shops, businesses and residences, should be respected.’</p> <p>14.5 Delete paragraph 5.</p>	and to meet Basic Condition 1
15	Add a source reference to the map on page 18 and review the Annexe referencing on page 19.	For clarity and correction
16	<p>Within Policy HNA.3:</p> <p>16.1 Delete paragraph 1 and a related sentence and footnote within the supporting text: sentence two of paragraph 3 on page 19 commencing “Since adequate provision....”.</p> <p>16.2 Delete paragraph 2.</p> <p>16.3 Replace paragraph 3 as follows: ‘New development must be built to the highest optional water efficiency standards provided for by building regulations which are currently a maximum water use of 110 litres per day (G2 of the Building Regulations 2010).’ Make a related adjustment to the supporting text by adding the following at the end of paragraph 1 on page 20: ‘The current position is that all new development permitted between 2018 and 2025 must be ‘phosphate neutral’ and this will be achieved by delivering the measures contained in the Interim Development Plan (IDP) agreed by the River Avon SAC Working Group. This requires higher optional water efficiency standards provided for by the building regulations which are currently a maximum water use of 110 litres per person per day (G2 of the Building Regulations 2010). Additional mitigation measures will be funded through CIL payments. In exceptional circumstances, it may be necessary for developers to provide for further measures beyond those funded by CIL.’</p> <p>16.4 Delete paragraph 4.</p>	For clarity and correction and to meet Basic Conditions 1 & 3
17	<p>Under the heading “Section 3: Housing and Buildings 3.1 Background and Rationale”:</p> <p>17.1 The source for the population data in paragraph 2 needs to be added.</p> <p>17.2 Since Plans are to be positively framed, in the first sentence of</p>	For clarity and to meet Basic Conditions 1 & 3

	<p>paragraph 5 on page 22 replace “controls are required” with ‘the Plan aims’.</p> <p>17.3 Since data from 2011 is of questionable use in 2019, replace paragraph 6 with: ‘The 2018 Housing Needs Survey conducted by Wiltshire Council shows that demand is almost exclusively for one and two bedroom properties whereas the 2011 Census indicated that the actual provision of smaller properties was below the national average.’ Add a source reference for the Needs Survey data.</p> <p>17.4 Replace the first sentence of paragraph 7 as follows: ‘TisPlan has identified a brownfield site which should be used to address housing requirements.’</p> <p>17.5 In the second sentence of paragraph 7 delete “(up to a maximum of 60)” and replace “well into the next Core Strategy to 2036” with ‘into the period of the Local Plan Review to 2036’.</p> <p>17.6 Since neither of the sites identified in paragraph 8 has been allocated for housing this paragraph is misleading and should be deleted. Replace this with details of a scheme that will make a contribution, as follows: ‘At the time this Plan was being prepared a proposal to provide 8 dwellings within the curtilage of the Tisbury Catholic Church was making good progress.’</p> <p>17.7 Delete the first paragraph on page 23.</p> <p>17.8 Since environmental impacts are dealt with through other policies and Wessex Water states that there are no sewage capacity issues, the third paragraph on page 23 should also be deleted.</p>	
18	<p>Under the heading “3.2 Housing and Buildings Policies”:</p> <p>18.1 Delete the second sentence of paragraph 3.</p> <p>18.2 Delete the pie-chart that is included after paragraph 3 and consider replacing this with a table combining data from the TisPlan survey with appropriate details from the 2018 Housing Needs Survey that might relate to the “most recent evidence of local need” included within Policy BL.1.</p> <p>18.3 Since the details of the housing scheme for the curtilage of the Catholic Church have already been updated and included above, the second paragraph on page 24 can be deleted.</p>	For clarity and correction
19	<p>Partly reword Policy BL.1:</p> <p>19.1 Replace element 1 in paragraph 2 with: ‘The Wiltshire Core Strategy’s (or its successor’s) affordable housing requirement’.</p> <p>19.2 Reduce element 3 in paragraph 2 to: ‘The provision of low cost dwellings (which might include self-build)’.</p> <p>19.3 Reword the third paragraph as:</p>	For clarity and correction and to meet Basic Conditions 1 & 3

	‘Community-led developments (which may involve Community Land Trusts or other social housing providers) are encouraged to include provision in perpetuity for low cost and affordable housing.’	
20	<p>On page 25 under the sub-heading “Buildings BL.2 Affordable Housing”:</p> <p>20.1 Reword paragraph 2 as follows: ‘Under the Wiltshire Council Core Policy 43 all residential developments of 5 or more dwellings should deliver affordable housing, in Tisbury Parish a minimum of 30% affordable housing and in West Tisbury Parish a minimum of 40% affordable housing.’</p> <p>20.2 Reword paragraph 3 as follows: ‘The results from the 2015 TisPlan questionnaire indicate there is demand across the Plan period for low-cost and affordable housing and this is supported by the findings of the Wiltshire Council 2018 Housing Needs Survey’.</p> <p>20.3 Delete paragraph 4.</p> <p>20.4 Reword paragraphs 5 &amp; 6 as follows: ‘In both the TisVis and TisPlan consultations feedback indicated support for a continued priority in perpetuity for local people in the allocation of affordable housing, in accordance with Wiltshire Council’s Allocations Policy.’</p>	For clarity and correction and to meet Basic Conditions 1 & 3
21	<p>Within Policy BL.2:</p> <p>21.1 In paragraph 1 delete “to the neighbourhood area” from the first sentence and replace the second sentence with: ‘In practice this means that eligible applicants in each Parish will be afforded priority for affordable housing developed within their own Parish and the same opportunity in the other Parish if properties remain unallocated after the first offers’.</p> <p>21.2 Move the content of paragraph 2 to be an Action Point to BL.2 under section 3.4, page 40.</p> <p>21.3 Delete paragraph 3.</p>	For clarity and correction and to meet Basic Conditions 1 & 3
22	<p>Under the sub-heading “Buildings BL.3 Development on Brownfield Sites”:</p> <p>22.1 In the opening sentence of paragraph 5 replace “would be welcome if it supports” with ‘could support’. In the second sentence replace “is preferred” with ‘would be ideal’ and replace “would be welcomed” with ‘could be used’. Reword the last sentence of paragraph 5 as: ‘A comprehensive approach should consider any provision that could address fire service requirements’.</p> <p>22.2 In the first sentence of paragraph 7 replace “should be positively encouraged, a strategy” with ‘is’.</p> <p>22.3 Review the incorrect reference to Annexe 7 in footnote 8 on page 26.</p>	For clarity and correction



23	<p>Within Policy BL.3:</p> <p>23.1 Reword the first two sentences as:  ‘Proposals for the redevelopment of deliverable brownfield sites will be supported, subject to:</p> <ul style="list-style-type: none"> <li>• the character of the AONB not being adversely affected, and</li> <li>• Policy EB.2 not being compromised, and</li> <li>• there being no unacceptable impact on the local road network.</li> </ul> <p>Proposals for brownfield housing developments that contribute to meeting the planned housing requirement to 2036 are encouraged.’</p> <p>23.2 Reword the third sentence as:  ‘Proposals to bring redundant and/or vacant historic buildings back into beneficial use will be supported subject to the three requirements set down in paragraph 1.’</p> <p>23.3 Delete paragraph 5.</p>	For clarity and to meet Basic Conditions 1 & 3
24	<p>Under the sub-heading “BL.4 Design and Landscape”:</p> <p>24.1 Reword the first sentence of paragraph 1 as:  ‘As the Neighbourhood Area lies within an AONB it is essential that its historic natural and built environment is conserved and any adverse impacts on local vistas are identified and addressed.’</p> <p>24.2 Review and correct the reference in footnote 10 on page 28.</p> <p>24.3 Delete the third sentence of paragraph 7.</p> <p>24.4 Reword paragraph 8 as:  ‘The designation of the Tisbury Village Conservation Area in 2009 provides the basis on which the character of the village will be conserved and enhanced and it is therefore a vital source reference for development proposals within its boundaries.’</p> <p>24.5 Delete paragraph 9.</p>	For clarity and correction and to meet Basic Condition 1
25	<p>Within Policy BL.4 Design and Landscape:</p> <p>25.1 In paragraph 1 replace “CP51” with ‘Wiltshire Core Strategy Policy CP51’, replace “AONB” with ‘Cranborne Chase &amp; West Wiltshire Downs AONB’ and replace “conserving” with ‘conserving and enhancing’.</p> <p>25.2 Delete the second sentence of paragraph 2 since this will be covered more appropriately in paragraph 3.</p> <p>25.3 Reword the paragraph 3 as:  ‘Development proposals must appropriately demonstrate regard for the defining characteristics of the Neighbourhood Area as set out in the Tisbury Landscape Character Assessment 2008 (see Annexe 9) or successor document’; ensure that an Annexe provides the content of the Assessment and that it is correctly referenced within the Policy; consider adding an Action Point to produce reviewed and revised “Design and Visual Impact” guidance.</p>	For clarity and correction and to meet Basic Conditions 1 & 3
26	Under the heading “Buildings BL.5 Energy” in the third paragraph add	For clarity

	'West Wiltshire Downs' after "Cranborne Chase and" and before "AONB".	and correction
27	<p>Within Policy BL.5 Energy:</p> <p>27.1 In paragraph 1 replace "should be supported wherever feasible" with 'are encouraged'.</p> <p>27.2 For clarity, delete paragraph 3 and add to paragraph 2: 'Also, roof designs might incorporate solar PV either for immediate or future installations.'</p> <p>27.3 Reword paragraph 3 as: 'Lighting installations that are subject to a planning consent should address the recommendations of the AONB Chasing Stars Initiative (or successor document)' and add a footnote reference to this.</p> <p>27.4 Add an additional paragraph as follows: "Requirements for plug in vehicles and ultra-low energy vehicle infrastructure should be incorporated within all new housing and employment development.'</p>	For clarity and to meet Basic Condition 1
28	Under the heading "Buildings BL.6 Infrastructure Provision" in the second sentence of paragraph 3 delete "and will be resisted".	For clarity and to meet Basic Condition 1
29	<p>Within Policy BL.6:</p> <p>29.1 In paragraph 1 delete "any energy or communications" and replace "minimise" with 'identify and address'.</p> <p>29.2 Delete paragraph 3.</p>	For clarity and to meet Basic Condition 1
30	<p>Under the heading "3.3 Site Allocations":</p> <p>30.1 Revise the map on page 32 and its title primarily to show and footnote reference the revised Tisbury Settlement Boundary from the Wiltshire Housing Site Allocations Plan (WHSAP) but also to identify the location of the sites (without description) that are the subject of Policies BL.7 and BL.8; include larger scale site boundary maps with Policies BL.7 and BL.8.</p> <p>30.2 Reword paragraph 1 as: 'The Tisbury Settlement Boundary has been reviewed within the Wiltshire Housing Site Allocations Plan (WHSAP) [footnote] and this is shown on the adjacent map. Wiltshire Core Strategy paragraph 4.16 says "there is a general presumption against development outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres [which include Tisbury] and Large Villages. Core Policy 1 within the same document says that "Local Service Centres will provide for modest levels of development in order to safeguard their role and to deliver affordable housing".'</p>	For clarity
31	<p>Under the heading "Buildings BL.7 Site Allocation: Station Works</p> <p>31.1 In paragraph 2 reword the first sentence as: 'Since 2002 the Station Works site has been the subject of two planning applications which proposed mixed use developments.'</p>	For clarity and correction

	<p>31.2 Delete the last sentence in paragraph 3 which commences “They also...”.</p> <p>31.3 Reword paragraph 5 and delete footnote 15 as follows: ‘A mixed use, comprehensive development of the Station Works site has the potential to make a significant contribution to meeting local housing and business needs.’</p> <p>31.4 In paragraph 9: 31.4.1 Reword the first sentence as: ‘The type of businesses that could be located on the Station Works site must be sensitive to the rural location within the AONB and to residential amenities which suggests that uses should be limited to Use Class B1 rather than warehousing and distribution’. 31.4.2 In the second sentence of paragraph 9 replace “would” with ‘could’.</p> <p>31.5 Delete paragraphs 11 and 12 other than the first sentence which should become the first sentence of the current paragraph 13; in paragraph 13, third sentence, replace “will expect” with ‘expects’.</p> <p>31.6 Under the sub-heading “Promoting sustainable transport in and around the site”: 31.6.1 In paragraph 1 delete reference to “para 17” as this relates to a now-replaced version of the NPPF. 31.6.2 Delete paragraph 2 as the content duplicates other content within this section.</p> <p>31.7 Under the sub-heading “Development constraints and mitigation”: 31.7.1 Within bullet point 2 replace “appropriate across the whole site” with ‘feasible on all parts of the site’. 31.7.2 Within bullet point 6 capitalise the words ‘Management Plan’. 31.7.3 Delete paragraph 2 as the content duplicates other content within this section. 31.7.4 Reword the second sentence of paragraph 2 as: ‘TisPlan recognises that an appropriate balance will need to be reached between the commercial expectations for the site and the aspirations of the community.’</p>	
32	<p>Within Policy BL.7: 32.1 Reword paragraph 1 as: ‘The site of Station Works, as identified on the adjacent map, is allocated for comprehensive redevelopment to include an appropriate balance of housing, commercial units and parking. The mix for the development should be informed by a viability test. Development proposals should be set down in a Masterplan which has been the subject of consultation with the community and the other interested parties. The Masterplan should indicate the phasing and infrastructure requirements and how their delivery will be assured. Once agreed, development should proceed strictly in accordance with the Masterplan.’</p>	For clarity and correction and to meet Basic Conditions 1 & 3

	<p>32.2 In paragraph 2:</p> <p>32.2.1 Reword bullet point 1 as: ‘Proposals should be informed by a contaminated land survey and remediation scheme, the level of information provided to be in line with the Wiltshire Core Strategy.’</p> <p>32.2.2 Reword bullet point 2 as: ‘Liaise with Network Rail (and other parties as required) to identify and safeguard land to meet their current and future operational requirements including appropriate access and parking provision for the southern side of the line.’</p> <p>32.2.3 In bullet point 3 replace “an appropriate pedestrian access” with ‘appropriate pedestrian accesses’ and delete the second sentence.</p> <p>32.2.4 Reword bullet point 4 as: ‘The estimated capacity of the site is 60 dwellings in two storey buildings plus commercial uses, but density overall must be appropriate for the edge of a rural settlement in an AONB with the potential to impact on the Conservation Area and two Special Areas of Conservation (SAC) (the River Avon SAC and the Chilmark Quarries SAC).’</p> <p>32.2.5 Reword the opening to bullet point 5 as: ‘The Masterplan design and layout should detail the proposed.’</p> <p>32.2.6 Reword the first sentence of bullet point 6 as: ‘Make appropriate provision for affordable housing in accordance with Policy BL.2, at a minimum level of 30% in accordance with Wiltshire Council Core Policy 43.’</p> <p>32.2.7 Reword bullet point 7 as: ‘Make provision for commercial uses, having particular regard for the needs of local and current on-site business, in accordance with Policy BL.3.’</p> <p>32.2.8 Delete from bullet point 8 “exact mix”.</p> <p>32.2.9 Delete from bullet point 9 the bracketed reference to Appendix 4 and from the third sentence delete “Any” so that the sentence begins with ‘Landscaping...’.</p> <p>32.2.10 In bullet point 10 replace “appropriate to the style of traditional buildings in” with ‘which predominate on’.</p> <p>32.2.11 In accordance with the Habitats Regulations Assessment replace bullet point 11 with: ‘All necessary species and habitat surveys must be carried out to determine the extent to which the development would affect the bat species that are features of the Chilmark Quarries SAC and appropriate measures taken to avoid and mitigate impacts to roosts, foraging and commuting habitats.’</p> <p>32.2.12 Delete bullet points 13 (not required) and 14 (not a land use matter).</p> <p>32.3 Add a map showing the allocated site at a scale that can ensure that the site boundaries have unambiguous clarity.</p>	
33	<p>Under the heading “Buildings BL.8 Site Allocation: Site of the Former Sports Centre Adjacent to St John’s Primary School” reword paragraphs 2 &amp; 3 as: ‘St John’s Primary School has indicated the desirability of reserving a small part of this site to improve traffic circulation/parking at the School. The Nadder Community Land Trust has indicated that such arrangements could be incorporated within a community-led affordable housing development of the site.’</p>	For clarity and correction

	Accordingly the site is allocated for uses which would benefit the community such as the provision of housing to meet identified housing needs.'	
34	<p>34.1 Reword Policy BL.8 as:  'The site of the former Sports Centre as identified on the adjacent map is allocated for redevelopment and, in principle, uses which meet community needs, such as community-led housing provision, will be supported subject to:</p> <p>i) appropriate alternative measures that address the condition relating to this site attached to Planning Consent 14/04907/FUL (Tisbury Nadder Campus), and</p> <p>ii) addressing of the reasonable requirements of St John's School relating to improved traffic circulation/parking arrangements, and</p> <p>iii) a design that is sensitive to the adjacent countryside and other uses, including the safeguarding of the children at the school.'</p> <p>34.2 Add a map showing the allocated site at a scale that can ensure that the site boundaries have unambiguous clarity.</p>	For clarity and correction and to meet Basic Conditions 1 & 3
35	Review the footnote Annexe references on page 42.	For clarity and correction
36	<p>Under the heading "Transport TR.1 Parking Provision":</p> <p>36.1 Delete paragraph 7.</p> <p>36.2 In paragraph 11 on page 44 delete the last sentence that begins "Therefore, all new dwellings ...".</p> <p>36.3 Pick up the paragraph on innovative ideas from Policy TR.3 – see below.</p>	For clarity and correction
37	<p>Within Policy TR.1 Parking Provision:</p> <p>37.1 Delete paragraphs 1 &amp; 2 but replace these with a consideration picked up from the pre-ambule to Policy TR.3: 'Where required, additional parking provision should be sensitive to its AONB or Conservation Area location and should be integrated within its setting, where applicable using innovative approaches.'</p> <p>37.2 Reword paragraph 3 as: 'Development proposals must suitably replace any on- and off-street parking that is displaced'.</p> <p>37.3 Reword paragraph 4 as: 'The layout of parking areas should be sensitive to different mobility requirements (e.g. the needs of people with disabilities and families with pushchairs).'</p> <p>37.4 In paragraph 5 replace "residential development" with 'developments'.</p> <p>37.5 Move paragraph 6 to the Action Points on page 53.</p> <p>37.6 Add to paragraph 7 '(in accordance with Core Policy 41 of the Wiltshire Core Strategy)'.</p>	For clarity and correction and to meet Basic Conditions 1 & 3

38	<p>Reword Policy TR.2 Tisbury Railway Station as:  ‘Development at or within the environs of the Tisbury Railway Station that protects and enhances the existing railway service will be supported. To ensure the necessary co-ordination, proposals should be developed in conjunction with the Local Planning Authority, Network Rail and other interested parties as appropriate.</p> <p>Proposals should have appropriate regard for the following:  1. Increasing and accommodating the use of public transport - train, bus and taxi.  2. Accommodating sustainable travel needs, such as pedestrian accesses, bicycle shelters and electric car charging points.  3. Extending car parking in line with the levels of station usage.  4. The requirements of the Tisbury Conservation Area and the Victorian character of the station buildings.</p>	For clarity and correction and to meet Basic Conditions 1 & 3
39	Delete the preamble to and paragraph 1 of Policy TR.3 but move Policy paragraph 2 to the pre-amble for Policy TR.1 – after the last paragraph on page 44 – deleting bullet point 3 (not an innovation) and bullet point 8 (already covered in Policy TR.1) and reword the introduction as: ‘Innovative solutions may be appropriate for new or expanded parking provision and amongst the range of possibilities could be:....’.	For clarity and correction
40	<p>40.1 Reword the title to section TR.4 (and the related Policy) as: ‘Traffic Impact and Road Safety’.</p> <p>40.2 Correct the minor error in the last sentence of paragraph 3 on page 49 replacing the semi-colon between “Nadder Centre” and “has” with a comma.</p>	For clarity and correction
41	<p>Within Policy TR.4, renamed as ‘Traffic Impact and Road Safety’:  41.1 Reword paragraph 1 as:  ‘Developments that will generate significant levels of additional traffic should include within their Transport Statement consideration of how traffic impacts will be mitigated to ensure that the rural character of the AONB and its villages and hamlets will be conserved.’</p> <p>41.2 In paragraph 2:  41.2.1 Reword the opening as: ‘Through engagement with landowners and Wiltshire Highways new development should seek to address, where feasible:....’.  41.2.2 In bullet point 3 add ‘appropriate’ between “of” and “traffic”.</p> <p>41.3 Delete paragraph 3 since this is not a land use matter.</p>	For clarity and correction and to meet Basic Conditions 1 & 3
42	<p>Under the heading “Transport TR.5 Sustainable Transport”  42.1 In the second sentence of paragraph 4 add ‘officially signed’ between “The only” and “HGV route”.</p> <p>42.2 In the final paragraph on page 52 delete “(Policy CIL.1 Planning Gain)”.</p>	For clarity and correction

	42.3 Add a source reference to the map on page 51.	
43	<p>Within Policy TR.5:</p> <p>43.1 Reword the opening as: “Wherever feasible, major new development should contribute to the achievement of a safe, walkable/cyclable village with integrated pathways/cycleways connecting to its centre and amenities; this might include:...”</p> <p>43.2 Reduce bullet point 1 to: ‘Circular walking routes.’</p> <p>43.3 Reduce bullet point 2 to the first sentence only.</p> <p>43.4 Commence bullet point 3 as ‘Improving..’ and delete the reference to Appendix 4.</p> <p>43.5 Commence bullet point 4 as ‘Providing...’.</p> <p>43.6 Within bullet point 5 delete “will be encouraged”.</p> <p>43.7 Delete bullet point 6 as it is covered elsewhere.</p> <p>43.8 Delete bullet point 7 as the content for planning applications is prescribed nationally.</p>	For clarity and correction and to meet Basic Condition 1
44	<p>44.1 Merge the preambles to Policies EB.1 and EB.2 by:</p> <p>44.1.1 Amending EB.1 paragraph 12 by adding ‘need’ in the first sentence between “also” and “to be addressed” and reword the second sentence as: ‘Traffic impact assessments and innovative methods of mitigation (eg the use of zero-carbon delivery vehicles) are encouraged.’</p> <p>44.1.2 Add to EB.1 paragraph 13 and between paragraphs 13 and 14 the EB.2 paragraphs 3, 4, 5, 6, 7, the first sentence of paragraph 9, and paragraph 10 excluding “:any adverse impact such as change of use to accommodation, will be resisted”.</p> <p>44.1.3 Delete the remaining content of the preamble to Policy EB.2.</p> <p>44.2 Merge Policies EB.1 and EB.2 to form a new Policy EB.1 as follows:</p> <p>44.2.1 Reword the opening sentence as: ‘To protect the economic sustainability of Tisbury as a Local Service Centre serving the AONB within South West Wiltshire, in principle proposals for new business and employment will be welcomed provided that:’.</p> <p>44.2.2 Add a new criterion 1: ‘Sustainable locations are chosen, and the reuse of previously developed (brownfield) sites and buildings, including derelict buildings, is especially encouraged.’</p> <p>44.2.3 Reword the existing criterion 1 as criterion 2: ‘Appropriate regard is demonstrated for the AONB landscape, its rural character and the Conservation Area’.</p> <p>44.2.4 Reword criterion 2 positively as a new criterion 3: ‘Traffic generation from the proposal is appropriate to a rural location and its road infrastructure.’</p>	For clarity and correction and to meet Basic Conditions 1 & 3

	<p>44.2.5 Retain the existing Policy EB.1 criterion 3 as criterion 4.</p> <p>44.2.6 Add a new criterion 5: ‘Proposals requiring a planning consent that would result in the loss of an employment use should provide evidence that appropriate steps have been taken to remarket the premises for alternative employment uses. The retention of retail and public buildings within the centre of Tisbury is considered vital to its Local Service Centre status.’</p> <p>44.2.7 Reword the first sentence of the existing criterion 4 as a new criterion 6: ‘Appropriate provision for high-speed communications infrastructure is integrated within the development’; retain the second sentence.</p>	
45	<p>Under the heading “LCW Policies”:</p> <p>45.1 In paragraph 5 the NPPF paragraph reference should be updated to the 2019 version: ‘(para 100)’.</p> <p>45.2 On page 62 delete footnotes 4 &amp; 5 and consequently renumber footnote 6 (and subsequent footnotes).</p> <p>45.3 On page 63 amend the tabulation of “LGS” by:</p> <p>45.3.1 Rewording the “purpose for designation” entry for “LGS.6” as ‘Prominent entry to village and residents’ memorials’.</p> <p>45.3.2 Delete the footnote to the table commencing “The total area...”.</p>	For clarity and correction
46	<p>Within Policy LCW.1:</p> <p>46.1 Amend the first sentence as: ‘The outdoor recreation and amenity areas identified on the adjacent map are designated as Local Green Spaces due to their particular local significance for the community and their recreational, historic and/or environmental value’; delete the second sentence.</p> <p>46.2 Amend the related map on page 64 to:</p> <p>46.2.1 Exclude the community orchard part of the site of LGS.1.</p> <p>46.2.2 Correct the boundary for LGS.3 so as not to overlap the river.</p> <p>46.2.3 Correct the boundary of LGS.5 to exclude the car parking area to the north.</p> <p>46.2.4 Add LGS.6 which has been omitted to the map and the key.</p> <p>46.3 In place of the birds-eye images on page 65, include individual, larger-scale maps for each Local Green Space from which the exact boundary can be identified with absolute clarity.</p>	For clarity and correction and to meet Basic Condition 1
47	<p>Under the heading “Leisure, Community and Well-being LCW.2 Community Assets and Community Re-development”</p> <p>47.1 Retitle LCW.2 as ‘Community Buildings and their Improvement’ and throughout the preamble replace “asset(s)” with ‘building(s)’.</p> <p>47.2 Delete paragraphs 5 &amp; 6 including footnote 7.</p>	For clarity and correction



48	<p>Reword Policy LCW.2 as:  ‘Proposals that retain or enhance community buildings (Victoria Hall, Elizabeth Hall, Nadder Centre, Methodist Hall, Hinton Hall, Catholic Church Reading Room, Tisbury Parish Council Reading Room) are encouraged provided they:</p> <ol style="list-style-type: none"> <li>1. Allow for the existing use(s) to be sustained, and</li> <li>2. Accommodate community-led development of community facilities as required.</li> </ol> <p>The loss of a community building will only be acceptable where:</p> <ol style="list-style-type: none"> <li>1. An equivalent or better replacement building is provided at another suitable location, or</li> <li>2. It can be robustly demonstrated that all or part of a community building is no longer valued by the community either in its present use or alternative community uses.’ </li></ol>	For clarity and correction and to meet Basic Condition 1
49	On page 67 correct the formatting of the image on page 67 and review the Annexe referenced in footnote 9.	For clarity and correction
50	<p>Within Policy LCW.3:</p> <p>50.1 Reword the opening sentences, before the four bullet points, as:  ‘In fulfilling the obligations set down in Wiltshire Core Policy 52, development proposals should seek to identify and address community amenity requirements, accessible for those with additional mobility requirements, which might include:’.</p> <p>50.2 Replace “Infrastructure that facilitates” in bullet point 4 with ‘Pedestrian and cycle pathways that allow’.</p> <p>50.3 Delete paragraph 3.</p>	For clarity and correction and to meet Basic Conditions 1 & 3
51	Re-present, and amend as appropriate, this section in the style of the Action Points for the Parish Councils used elsewhere in the Plan document.	For clarity and correction and to meet Basic Condition 1
52	Ensure that the Plan Appendices and Annexes are reviewed, rationalised and then renumbered to be a logical set of documents (named either Appendices or Annexes) from which the Plan (including the Action Points) draws; check and amend as necessary the footnote references in the Plan to the final list of documents.	For clarity and correction and to meet Basic Condition 1