

Highworth Neighbourhood Plan Decision Note

1. Introduction

- 1.1. Pursuant with the Localism Act 2011, in particular Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, Swindon Borough Council have produced this Decision Note in relation to the Highworth Neighbourhood Plan 2.
- 1.2. The Independent Examiners Report has been received for the Highworth Neighbourhood Plan 2 which recommends that the plan proceed to referendum subject to modifications. The Council is now required to make a decision on the plan proposals and the recommendations in the Examiner's Report.
- 1.3. The Examiner's recommendations and the Council's response are listed in Table 1 below.
- 1.4. The Council has identified 1 factual correction outlined in Table 2 below.

2. Background

- 2.1. The Highworth Neighbourhood Development Plan 1 was adopted on 13th July 2017. Following the plan's adoption, the Town Council started to work on the review to account for changes in the NPPF and take account of development since Neighbourhood Plan1 was made.
- 2.2. Highworth Town Council undertook a pre-submission consultation on the draft Highworth Neighbourhood Plan 2 between 11th May to 24th June 2024, in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. This was followed by Regulation 16 consultation undertaken by Swindon Borough Council between 13th December 2024 to 7th February 2025.
- 2.3. Following submission for independent examination, the Examiner advised that a Modification Statement should have accompanied the Regulation 14 consultation. A further Regulation 14 consultation was therefore undertaken between 26th June and 10th August 2025 to address this procedural requirement, followed by a second Regulation 16 consultation undertaken by Swindon Borough Council between 9th October and 20th November 2025.
- 2.4. Edward F Cousins BA, BL, LLM, Barrister, was appointed as the Independent Examiner and confirmed that all representations received during the Regulation 16 consultation stages were considered as part of the examination.

3. Decision

- 3.1. Having considered the examiner's recommendations and rationale for them, Swindon Borough Council concur with the examiner's assessment of the Plan and

have decided that, subject to the Examiner's modifications being made, the Highworth Neighbourhood Plan meets legal requirements including the Basic Conditions as set out in legislation and can proceed to referendum.

Table 1 – Examiner’s Recommendations and Council’s Decision

Policy recommended for modification	Proposed Modifications (as set out by the Examiner)	Examiner reasoning for Proposed Modifications	Swindon Borough Council Decision
Introduction	Part 1 – The Introduction section should be updated to reflect the Neighbourhood Plan that is adopted and the most recent consultations, Examination and Referendum.	To ensure the Introduction is up to date and reflects the completed consultation, Examination, Referendum and adoption stages.	Accept
The Parish of Highworth	The section entitled Swindon Local Plan Context (paragraphs 31 to 24) is updated to reflect the current status of the Local Plan Review Amend the phrase in the Vision ‘contribute towards combatting climate change’ to ‘mitigation and adaption to climate change’ Add an additional objective in the Environment section in Table 2 ‘Ensure resilience against the future impacts of Climate Change’	To reflect the current status of the Local Plan Review and strengthen the Vision and Objectives to more explicitly address climate change mitigation, adaptation and resilience.	Accept
Policy 1: Housing provision and mix	~~A. Within the Conservation Areas of Highworth, Sevenhampton and Hampton, new residential development that involves the change of use of existing commercial buildings (Class E and sui generis) should have regard to Highworth Neighbourhood Plan 2 Policy 3.~~ A. Provision of general and specialist accommodation for older people, including an affordable <u>housing component</u> , will be supported <u>in sustainable and accessible locations</u> . ~~CB. New~~ <u>Housing developments of 10 dwellings or more should be designed to be adaptable and accessible standard M4(2) and housing developments of</u>	To reflect the latest Housing Needs Assessment and local infrastructure evidence, improve clarity and consistency with national policy, and ensure requirements relating to accessible housing, housing mix, water efficiency and	Accept

	<u>more than 25 dwellings or more should provide at least 10% to M4(3) standard throughout all life stages unless it is demonstrated that it would make the development unviable.</u> ~~DC.~~ Where appropriate <u>to the scale, nature and location of the proposal</u>, planning permission for developments which result in the need for off-site <u>infrastructure upgrades</u>, will be subject to conditions to ensure the occupation <u>of the development</u> is aligned with the delivery of necessary infrastructure upgrades. ~~The Local Planning Authority will seek to~~ <u>D. Development proposals should</u> ensure that there is adequate water and wastewater infrastructure to serve all new developments. ~~Developers are encouraged to contact the water/wastewater company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.~~ E. Development must be designed to be water efficient and reduce water consumption. Refurbishments and other non-domestic development will be expected to meet BREEAM water efficiency credits. Residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption) using the 'Fittings Approach' in Table 2.2 of Part G Buildings Regulation. Planning conditions will be applied to new residential development to ensure that the water efficiency standards are met.	infrastructure delivery are appropriately justified and sufficiently flexible. The changes also clarify the status of the Crane Furlong allocation and associated design guidance, while removing duplication and relocating advisory material to the supporting text.	
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	~~F. It is the responsibility of the developer to make proper provision for Surface water drainage should <u>to be connected to ground water courses or surface water sewers. It must not be allowed to drain to the foul sewer, as this is a major contributor to sewer flooding.</u>~~ G. Development schemes should seek to provide the following mix of housing sizes ~~when complying with Swindon 3 Local Plan policies HA1 and HA2:~~ a. 45% four-bedroom b. 52% three-bedroom c. 24% two-bedroom d. 2% one bedroom <u>unless otherwise identified in an up-to-date Housing Needs Assessment or Housing Needs Survey or unless otherwise demonstrated, by a site-specific financial viability appraisal, that such provision would make the development unviable.</u> H. Affordable housing provision should include shared ownership housing according to local evidence <u>unless identified in an up-to-date housing need survey.</u> I. Land at Crane Furlong, as shown in Figure 3, is allocated for residential development and should take account of the guidance in Appendix 1 of this plan and <u>the issues identified through consultation on the planning application.</u> Relocate the final two sentences of Part D to supporting text after the section Shared Housing Ownership under a new heading – Infrastructure. Add at the end of paragraph 50: Appendix 1 predates the submission of a planning application, its associated evidence base and the public consultation on proposals for 57 dwellings. As such Appendix 1 should be		
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	appropriately considered by SBC with the other relevant information and submissions as part of the planning application process.		
Policy 2: Highworth's Settlement Boundary	Policy 2: Highworth's Development and Rural Settlement Boundary A. Land within the solid blue line as shown on Figure 4 is defined as the settlement boundary for Highworth. Within this defined area, infill, backland and other development consistent with policies in the Development Plan will normally be acceptable. Outside the defined settlement boundary, land is defined as "open countryside," and development here will not be permitted unless it complies with the rural development policies of the Swindon Borough Local Plan <u>or is allocated for development in the Swindon Local Plan Review</u>. The housing allocation at Crane Furlong detailed on Figure 4 should be highlighted in a colour tone demonstrating that the allocated site is outside the settlement boundary area. Additionally Figure 4 should be produced at a scale that clearly enables decision makers to determine whether a site is within or outside of the settlement boundary. This includes increasing the resolution and clarity of the base mapping to ensure clarity. The settlement boundary should be amended to include land under construction for housing including land east of Shrivenham Road and land west of Wragg View. The Neighbourhood Plan should be amended to use the consistent description of Settlement Boundary in all cases within the policy, supporting text and on mapping.	To update the settlement boundary to reflect implemented and commenced development, ensure consistency with the Council's approach to defining settlement boundaries, and improve the clarity and usability of the associated mapping. The changes also provide a consistent definition of the Settlement Boundary throughout the Neighbourhood Plan, distinguish the Crane Furlong allocation from the boundary, and provide sufficient flexibility to accommodate development that may be allocated through the Local Plan Review.	Accept

Policy 3: Highworth's Town Centre	A. Highworth Town Centre ~~boundary, as shown as an solid orange line in~~ Figure 5, is designated as the Primary Shopping Area <u>under for the purposes of implementing Swindon Borough Local Plan policy EC3</u>. Its role and function will be preserved and proposals for new commercial businesses, and service users particularly Class E (a, b, and c), will be supported. B. The <u>three</u> areas identified with a blue line-in Figure 5 are designated as the Secondary Shopping Areas. ~~They~~ <u>Development that</u> provides local services and meets the daily needs of people within walking distance <u>of these areas will be supported</u>. C. Class MA (Commercial, business and service uses to dwellinghouse) development within the <u>three</u> Conservation Areas <u>will be restricted to supported on upper and lower floors (basements) retaining</u> Class E (a, b, and c) ~~will be retained~~ on the ground floor. D. Proposals for improvements and enhancements of the street scene to allow for a café culture to establish, develop and evolve on the High Street are supported. <u>E. Development will be supported that secures</u> traffic and other environmental improvements that contribute positively to the pedestrian and visitor experience and the commercial vitality and viability of the town centre ~~will be sought~~. <u>This policy does not aim to, and cannot, remove the statutory provisions of the General Permitted Development Order (GPDO) and should be applied only to applications outside the scope of permitted development.</u> Amend paragraph 74 to accurately state that permitted development applies in a Conservation Area for MA Class development and the Borough Council	To improve the clarity and positive wording of the policy, ensure consistency with national policy and the Local Plan, and clarify the role of the Primary and Secondary Shopping Areas. The changes also ensure that the policy and supporting text accurately reflect permitted development rights for Class MA development within Conservation Areas and clarify that the Town Centre Improvement Plan remains a draft document subject to public consultation.	Accept
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	are required to consider the impact of that change of use on the character or sustainability of the Conservation Area. For clarity add at end of paragraph 79: 'The Town Centre Improvement Plan is a draft document and will be subject to a public consultation.'		
Policy 4: Tourists attractions and accommodation	A. Proposals for the provision of new or extended visitor attractions including cafes, pubs and restaurants (~~sui generis~~), and other enhancements to the visitor experience of Highworth will be supported. B. Proposals for new visitor accommodation will be supported. ~~where they are in compliance with other Development Plan policies.~~	To support the sustainable growth of Highworth's tourism economy and realise its potential as an historic market town and gateway to the Cotswolds, in accordance with national and local planning policy. Minor changes are made to simplify the policy wording and remove unnecessary references to compliance with other Development Plan policies.	Accept
Policy 5: Blackworth Employment Area	The Blackworth Industrial Estate is a designated Key Employment Area where Class E(g), B2, B8 and ~~sui generis~~ uses are supported. ~~All planning applications should take into account the relevant provisions of Policy EC2 of the Swindon Borough Local Plan.~~	To support the continued role of Blackworth Industrial Estate as a Key Employment Area and enable the sustainable growth and expansion of a range of	Accept

	~~The provisions of Swindon SBC Local Plan Policy RA1(b), as shown on Figure 7, allocates land to the north of the Blackworth Industrial Estate for Class E(g), B2, B8 and sui generis uses.~~ ~~Proposals for Class B2 general industrial must consider operational noise and impacts upon residential amenity. <u>Where appropriate to the location, scale and nature of the proposal, a noise impact assessment should be submitted to demonstrate that it would not cause harm to noise sensitive receptors.</u> will be required with all planning applications.~~ ~~Proposals for Class B8 storage and distribution must not exceed 50% of the total permitted floorspace.~~ ~~Proposals for Class E(g) offices must provide for operational/administrative functions, research and development of products/processes and industrial processes.~~ ~~Proposals for Class E(a), Retail E(b) (sale of food and drink) and E(c) (financial services) will not be supported as they should be directed to Highworth's Town Centre. (HNP2, Policy 3).~~ ~~Proposals for residential institutions (Class C2) and dwellinghouses (Class C3) will not be supported or permitted.~~ ~~In all cases, <u>due regard must consideration will</u> be given to the job creation capability of the activity, the choice of sustainable transport modes for employees <u>to get to work</u> (walking, cycling and public transport), and the operational car parking and the servicing <u>provision</u> of the unit.~~ <u>This policy does not aim to, and cannot, remove the statutory provisions of the General Permitted Development Order (GPDO) and should be applied only to applications outside the scope of permitted development.</u>	businesses, in accordance with national and local planning policy. The changes remove unnecessary or unsupported restrictions on particular employment uses, avoid duplication with the Local Plan, ensure potential impacts on residential amenity and sustainable transport are appropriately considered, and clarify that the policy does not override permitted development rights.	
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	Amend the final sentence of paragraph 87 to: The blue dashed line in Figure 7 shows the full extent of the employment allocation <u>identified in policy RA1 of the Swindon Local Plan</u>, to ~~include land to the north of Blackworth Industrial Estate which is land designated as a Key Employment Area covered under EC1 and EC2.~~ Add after paragraph 88: 'Proposals for change of use between different business activities may not need planning permission. This policy does not aim to, and cannot, remove the statutory provisions of the General Permitted Development Order (GPDO) and should be applied only to applications outside the scope of permitted development.'		
Policy 6: Community Facilities and Infrastructure	A. Proposals for new or extended community facilities <u>will be supported</u>, ~~and involving the loss of such facilities will be considered in relation to Swindon Borough Local Plan policy CM4 and other relevant policies in the Development Plan for those facilities listed in Table 98.~~ B. Development proposals that will result in the loss, or significant reduction in the scale and value of a community facility, <u>including those facilities listed in Table 8,</u> will not be ~~permitted~~ <u>supported</u> unless alternative facilities of equal or better accessibility, size and suitability are provided. Alternatives may be considered favourably if it can be demonstrated that; i. The facility is not in demand by the community for whatever reasons, or ii. The facility is no longer economically viable <u>for the established use</u>, and it has been actively marketed at a reasonable price for at least 12 months for the purpose (or any other suitable community facility use) and no interest in acquisition <u>for that established use</u> has been expressed.	To support the retention and provision of accessible community facilities and infrastructure, while improving the clarity and accuracy of the policy and avoiding duplication with Local Plan requirements. The changes also update information on existing community facilities, correct referencing errors, and relocate procedural matters relating to burial	Accept

	~~C. If it can be demonstrated that the operation of the asset is not in demand by the community or no longer economically viable, and it has been marketed at a reasonable price for at least a year for that, or any other suitable community facility use, and no interest in acquisition has been expressed, then alternatives may be considered that take into account the loss of the asset.~~ D. Increased medical and health service capacity will be supported. ~~E. All housing proposals should consult with Highworth Town Council to determine existing burial capacity and contribution towards additional provision.~~ Insert section E relating the burial capacity at the end of paragraph 100. Update the availability of the community facilities in the supporting text to accurately reflect the current services and facilities.	capacity to the supporting text.	
Policy 7: Design	~~A. All planning applications~~ <u>Development proposals, where appropriate in scale, nature and location will should be</u> prepared in accordance with the Highworth Design Guidance and Codes. B. In Conservation Areas the respective Conservation Area Appraisal and Management Plan will be an important point of reference in design assessments. C. Boundary wall treatments ~~are to~~ <u>should, where appropriate,</u> preserve existing stone boundaries, and extend and reflect this local feature. D. The local building materials <u>should reflect the local vernacular, including the use of stone and red brick as the</u> ~~are the preferred~~ main elevation materials <u>in the Conservation Area</u>, particularly development which is prominent in the street scene and public realm.	To ensure that development achieves high-quality, locally distinctive and sustainable design, reflecting the Highworth Design Guidance and Codes and relevant Conservation Area guidance. The changes provide greater flexibility and proportionality in applying design requirements, while supporting local character,	Accept

	E. New landmark native trees, should, <u>where appropriate</u> be incorporated into the soft landscaping scheme of any development proposal. F. Development should be designed to integrate with the existing neighbourhood and work with the character and appearance of existing buildings and the surrounding area. G. <u>Where appropriate to the scale, location and nature of the scheme</u>, major development proposals will be expected to undertake design review by ~~means of~~ referral to the Swindon Design Review Panel and the published Planning Protocol of Highworth Town Council. H. ~~All~~ <u>Where appropriate to the scale, location and nature of the scheme</u>, development <u>proposals</u> should aim to maximise the energy efficiency of a building's performance, harvest rainwater effectively and efficiently and utilise renewable energy technologies.	appropriate materials and landscaping, design review, energy efficiency, rainwater harvesting and renewable energy technologies.	
Policy 8: Landscape and Views	~~A. The impact of development <u>should respond positively to the</u> on landscape character and important views shown on Figures 9 and 10 will be taken into account and resisted where it is deemed to be~~ <u>to ensure proposals are not</u> unduly intrusive or unrelated to existing natural or man-made features. ~~A Landscape and Visual Impact Assessment must be submitted in support of a development proposal where it accords with the requirements of Swindon Borough Council's planning application Validation Checklist.~~ Add at paragraph 106: 'A Landscape and Visual Impact Assessment may be required in support of a development proposal where it accords with the requirements of Swindon Borough Council's planning application Validation Checklist. Applicants are advised to contact SBC.'	To ensure that development responds positively to landscape character and locally valued views, while providing a clear and proportionate basis for assessing landscape and visual impacts. The changes improve the clarity and accuracy of the mapped viewpoints and ensure that requirements for Landscape and Visual Impact	Accept

	Figures 9 and 10 are to clearly identify, on an appropriate scale map or maps, the location of the viewpoints clearly showing their location on a publicly accessible point.	Assessments are consistent with the Council's Validation Checklist.	
Policy 9: Open Space	Delete site number 16 –Eastrop Infant School from the list of open space sites in the policy and renumber the remaining sites accordingly.	To retain the protection of important open spaces that continue to be valued by the local community and contribute to sustainable development, while correcting the list of designated open spaces to ensure it is consistent with the supporting evidence and mapping.	Accept
Policy 10: Local Green Spaces	The following areas, as listed in Table 10 as shown on Figure 13 and mapped in Appendix 7 are designated as Local Green Space: ~~1. The Old Community Golf Course (northern section)~~ 2. Village Green 3. Highworth Cemetery 4. Highworth Parish Church Churchyard 5. Sevenhampton Churchyard ~~Policies for managing development within the Local Green Spaces should consider the appropriateness of the land use and built development in preserving the prevailing sense of openness. <u>Development on these sites</u>~~	To ensure that Local Green Space designations meet the relevant national policy criteria. While the existing Local Green Spaces continue to meet these requirements, the northern part of the Old Golf Course is considered to be an extensive tract of land and not sufficiently local in	Accept

	<u>will not be supported unless they are consistent with national policy for Green Belts.</u> Site 1. The Old Golf Course is deleted from the policies maps, the supporting text and Appendix 7. Add the northern part of the Old Golf Course site to the open space in policy 9 and the maps, supporting text and appendices amended accordingly.	character to qualify for designation. The site is therefore removed from Policy 10 but retained as open space under Policy 9, recognising its value to the local community.	
Policy 11: Sustainable Transport	A. Development will be expected to protect and where appropriate <u>to its scale, nature and location</u>, enhance the network of existing public rights of way in the Neighbourhood Plan Area shown in Figures 16 to 19. Enhancements should make, wherever possible, the paths accessible to those with special access needs and complete missing links in the network and severance of existing links due to traffic and other obstacles. B. Existing patterns of connectivity and permeability offered by networks of pedestrian paths through residential developments as highlighted in Figure 16 ~~will~~ <u>should be</u> protected and extend, <u>where appropriate</u>, in new residential schemes. C. All cycling provision ~~will~~ <u>should</u> be designed in accordance with the Department of Transport Cycle Infrastructure Design: Local Transport Note 1/20 and SBC's Cycle Parking Standard SPD and where possible, segregated cycle paths ~~will~~ <u>should be</u> provided alongside new footpaths. To include support links from Highworth to Swindon's comprehensive cycling and walking network. ~~D. Proposals that improve the existing and proposed walking and cycling network improvements identified in Figures 16-19 will be supported. Such~~	To support sustainable transport by protecting and, where appropriate, enhancing walking, cycling and public rights of way networks, while improving accessibility and connectivity. The changes remove duplication within the policy, clarify requirements for cycling infrastructure, and ensure that improvements and financial contributions are proportionate and reasonably related to development.	Accept

	~~improvements will be provided by~~ <u>Financial contributions will be sought for these improvements where housing and commercial development where they are reasonably related to and will give rise to increased use of the need for improvements to the walking and cycling network.</u> ~~E. Links to the walking and cycling network improvements identified in Figures 16-19 will be provided by major housing and commercial schemes where the development will give rise to increased use of the walking and cycling network.~~		
Policy 12: Biodiversity and nature recovery	A. <u>Where appropriate to the scale, nature and location, development must should support the implementation of the green infrastructure network as identified by the Swindon Local Plan Policy EN1 and Policies Map, which includes the local sites identified in HNP2. And and align takes account of and implements where possible measures identified as a priority in the with Wiltshire and Swindon Local Nature Recovery Strategy.</u> B. Development proposals ~~must~~ <u>should</u> seek to retain existing trees, hedgerows, and wildlife corridors. Development proposals affecting trees, hedgerows and wildlife corridors ~~must~~ <u>and where appropriate, should</u> be accompanied by a detailed arboricultural survey which justifies any removal of trees and hedgerows in terms of their health or danger presented as a result of condition or position. Trees to be retained must be protected during the construction phase of the development. C. ~~Applicants for development where biodiversity Net Gain is a requirement should provide evidence in planning applications that the following has been investigated and, where necessary, will be implemented: In addition to the~~	To update the policy to reflect mandatory Biodiversity Net Gain requirements and the adopted Wiltshire and Swindon Local Nature Recovery Strategy, ensuring that development supports identified nature recovery priorities and the Green Infrastructure Network. The changes remove duplication of national BNG requirements, clarify requirements for ecological assessments and the retention of trees,	Accept

	<u>mandatory Biodiversity Net Gain requirements as established by the Environment Act 2021, the following additional requirements are supported:</u> i. ~~Contact has been made with Swindon Borough Council to determine whether work has been done towards the preparation of the Nature Recovery Strategy~~ and seek advice on any conclusions and recommendations <u>of the Local Nature Recovery Strategy available</u> that relate to the proposal. ii. Where Biodiversity Net Gain cannot be delivered on site, ~~Applicants must work with Swindon Borough Council to identify ways that it can be delivered~~ off-site <u>provision will be supported</u> in the Highworth Neighbourhood Area <u>to take account of and implement the priorities in the Local Nature Recovery Strategy.</u> iii. ~~Where off-site Biodiversity Net Gain is proposed, this should be focused on the Nature Recovery Areas shown in Figure 20.~~ iv. ~~All planning applications should be accompanied by~~ <u>Where appropriate to the scale, location and nature of the proposal, the submission of an</u> Ecological Impact Assessment to demonstrate how a project may impact biodiversity and what measures can be taken to mitigate negative effects ~~how long-term Biodiversity Net Gain, both on site or off-site will be delivered with enduring benefits and management where necessary.~~ v. ~~Only where off-site biodiversity can be proven to be undeliverable within the Neighbourhood Plan Area can out of Neighbourhood Plan Area biodiversity improvements be considered.~~ vi. ~~Planning proposals must demonstrate that the owner of the land, where Biodiversity Net Gain is proposed, has agreed to the proposals and will fully cooperate in its delivery.~~	hedgerows and wildlife corridors, and ensure that off-site BNG is directed by the priorities identified in the LNRS rather than inconsistent local mapping.	
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	The supporting text should be rewritten to recognise the changes to the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990, the implementation of the Environment Act 2021, and the adoption of the Wiltshire and Swindon Local Nature Recovery Strategy and its priorities. The extensive maps and information detailing the environmental baseline data should be retained in the Neighbourhood Plan for information where they are consistent with the LNRS.		
Monitoring	Addition of 'Quarterly Monitoring Reports will be submitted to the Town Council' to paragraph 150.	To clarify the process for reporting quarterly monitoring to the Town Council.	Accept

Table 2 – Factual Corrections

Section	Modification	Reasoning for Proposed Modification
Figure 11: Open Spaces in the Highworth Neighbourhood Plan Area	Addition of “19. Town Green (adjacent to Parsonage Court)”	Open Space 19 Town Green was designated under the adopted Neighbourhood Plan and continues to be designated under the policy text of Policy 9 to the Highworth NP2. The omission of 19 on Figure 11 to the Highworth NP2 is a drafting error. Amendment would bring the Figure in line with the policy text.