

# **WROUGHTON NEIGHBOURHOOD PLAN 2015 - 2026**

**The Report of the Independent Examiner to Swindon Borough Council on the  
Wroughton Neighbourhood Plan**

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4<sup>th</sup> April 2016**

## Summary & Index

I was appointed by Swindon Borough Council in March 2016 to undertake the Independent Examination of the Wroughton Neighbourhood Plan.

The Examination has been undertaken by written representations. I visited the Neighbourhood Area on 15<sup>th</sup> March 2016.

The Neighbourhood Plan proposes a range of policies and seeks to bring forward positive and sustainable development in the Parish. There is an evident focus on safeguarding the very distinctive character of the village in its rural setting.

The Plan has been underpinned by extensive community support and engagement. The social, environmental and economic issues identified have been brought together into a coherent plan which has been the subject of a Strategic Environmental Assessment.

Subject to a series of recommended modifications set out in this Report I have concluded that the Wroughton 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 Wroughton Neighbourhood Plan 2015-2026. The Plan has been submitted to Swindon Borough Council by Wroughton Parish Council in its 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.

This report assesses whether the Wroughton Neighbourhood Plan 2015-2026 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 Wroughton Neighbourhood Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Wroughton Neighbourhood Plan would then be used to determine planning applications within the Plan boundary as an integral part of the wider development 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 Swindon Borough Council, with the consent of the Wroughton Parish Council, to conduct the examination of the Wroughton Neighbourhood Plan and to report my findings. I am independent of both the Swindon Borough Council and the Wroughton Parish Council. 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 Wroughton Neighbourhood Plan is submitted to a referendum; or
- the Wroughton Neighbourhood Plan should proceed to referendum as modified (based on my recommendations); or
- the Wroughton 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 Wroughton 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.

Subject to the contents of this Report, I can confirm that I am satisfied that each of the above points has been met.

In undertaking this examination I have considered the following documents:

- Wroughton Neighbourhood Plan as submitted
- Wroughton Neighbourhood Plan Basic Conditions Statement.
- Wroughton Neighbourhood Plan Statement of Community Involvement
- Wroughton Neighbourhood Plan Strategic Environmental Assessment
- Three volumes of evidence materials collated by the Parish Council
- Representations made to the Wroughton Neighbourhood Plan
- Swindon Borough Local Plan 2026 with accompanying Policies Map
- Copy of Inspector's Request MF1: Swindon's Housing Potential (as submitted to the examination of the Swindon Borough Local Plan 2026)
- Swindon Neighbourhood Planning Protocol (2013)
- National Planning Policy Framework (March 2012)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (March 2014 and subsequent updates)
- Ministerial Statement (March 2015).

I carried out an unaccompanied visit to the Plan area on 15<sup>th</sup> March 2016. I looked at the village of Wroughton within the larger Plan area and rural hinterland. I also viewed its relationship to the new settlement of Wichelstowe and to Swindon to the north, at the character of the village centre and at all the sites identified in the Plan policies; I paid particular attention to the northern and eastern edges of the village settlement boundary since these areas feature significantly in the representations.

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 Wroughton Neighbourhood Plan could be examined without the need for a public hearing and I advised Swindon Borough Council accordingly. The Borough Council has provided me with a few extra facts to meet my needs.

### **Wroughton Neighbourhood Area**

A map showing the boundary of the Wroughton Neighbourhood Area is provided as Appendix 3 on page 25 of the Neighbourhood Plan; I comment on the titling of this map later. Further to an application made by Wroughton Parish Council, Swindon Borough Council approved the designation of Wroughton as a Neighbourhood Area on 5<sup>th</sup> February 2014. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Development 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 Parish Council has prepared a Consultation Statement – the Statement of Community Involvement October 2015. This document incorporates (as section 8) the Basic Conditions Statement. A Working Party was appointed by the Parish Council to progress the plan-making after the decision in September 2013 that a Neighbourhood Plan should be prepared. The Working Party has reported back to the Parish Council at all decision-making points and that is shown in the records of the meetings of the Parish Council.

It is clear that community involvement has been at the heart of the Plan's production. The tabulations of 'Stages of the Consultation Process and Key Dates' show a varied and extensive approach to community engagement and the range of media used to invite participation is very impressive. I note in particular that in March 2014 alongside public displays, a "copy of the draft plan, along with covering letter and response form [was] delivered to every household in the Parish" as well as to other interested parties. This degree of commitment illustrates the potential of neighbourhood planning to give "communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need" (para 183, National Planning Policy Framework). In addition the Parish Council has made excellent use of its website with Wroughton Plan pages ensuring that progress could be monitored and related materials examined by all interested parties throughout the consultative process ([www.wroughton.gov.uk/wroughtonneighbourhoodplan](http://www.wroughton.gov.uk/wroughtonneighbourhoodplan)).

The impact of public input and consultation responses is clearly set out in the Consultation Statement. However, it is deficient in one important regard. The consultation on the Strategic Environmental Assessment (SEA), undertaken when the Swindon Borough Council screening determined that it was required, did elicit some responses, but these have not been included in the public documents. The SEA Report is the document that was the basis of the 2015 consultation and does not extend to its own consultation. The Consultation Statement notes that the SEA consultation was undertaken but not the details of the responses received and the reasons why, after deliberations, no modifications were considered necessary either to the SEA or to the Neighbourhood Plan after the SEA and its consultation. I have been provided with full details of all the public consultations, including the SEA consultation and the responses to it. A tabulation of the SEA responses was prepared in a format comparable to other tabulations in the Consultation, and I note that it is available on the Wroughton Plan website (referenced above). This ought to be part of the record in the Statement of Community Involvement.

**Recommendation:** The tabulation of responses to the comments received through the public consultation on the SEA Report (included as item 6.9 at [www.wroughton.gov.uk/wroughtonneighbourhoodplan](http://www.wroughton.gov.uk/wroughtonneighbourhoodplan)) should be incorporated within the Statement of Community Involvement with a suitable reference to it made within para 2.23.

From all the evidence provided to me for the examination, I can see that an inclusive and comprehensive approach has been made to obtaining the input and opinions of all concerned throughout the process. Comments were pro-actively sought and those received were duly considered. I can see that there has been a documented record of the ways that consultation has benefitted the Wroughton Neighbourhood Plan. I am accordingly satisfied that the consultation process has complied with the requirements of the Regulations.

## Representations Received

Consultation on the submitted plan was undertaken by the Borough Council from 5<sup>th</sup> November to 17<sup>th</sup> December 2015. I have been passed representations received from the following persons or organisations:

- Blamoral Land

- Fowler Architecture & Planning on behalf of Mr N Thomas
- Historic England
- Hunter Page Planning on behalf of Hannick Homes
- Savills on behalf of Thames Water
- CgMs on behalf of Haskins Garage
- Turley on behalf of Ainscough Strategic Land
- Natural England
- Mr Richard Codrington

## The Neighbourhood Plan

The Wroughton Parish Council are to be congratulated on their tireless efforts to produce a Neighbourhood Plan for their area that will guide development activity over the coming decade. It is evident that a sustained effort has been put into an extensive dialogue with the community to arrive at actions and policies that best meet the community's wish "to develop in a sustainable way, whilst meeting the needs and aspirations of local residents". The Plan document is well presented with a combination of images and text that is engaging for the reader and, subject to the specific points that I make below, set out in logical and clearly themed sections. The Plan has been kept to a manageable length, both by not overextending the coverage of the potential subject matter and also by helpfully combining narrative text and bulleted or tabled points as appropriate.

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 sets out a positive vision for the future of the Neighbourhood Area and promotes policies and growth that are proportionate and sustainable. The Plan sets out the community needs it will meet whilst safeguarding Wroughton's distinctiveness and character. The plan-making had to find ways to reconcile differences of view, in particular on meeting the housing needs identified by the Swindon Borough Local Plan 2026. All such difficult tasks were approached with transparency and thoroughness, with input as required and support from the Borough Council.

However, in the writing up of the work into the Plan document, it is often the case that the phraseology is clumsy or imprecise, or the editing falls short, and I have been obliged to recommend modifications so as to ensure both clarity and meeting of the 'basic conditions'. In particular, it is a recurring issue that the wording of chosen Plan policies 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). Related to this is the use of the term 'brownfield' which has attracted criticism. Whilst the term is convenient shorthand, 'brownfield' has a very specific definition within the NPPF; I have sought to put in its place the appropriate words in their context. More generally the NPPF (para 16) requires that: "...neighbourhoods should:

- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan....."

It follows that the Plan and its policies should be worded so as to support, *not duplicate* policies in the Local Plan and provide positive guidance, *not negative barriers* to the development activity covered in the Plan. I bring these general references to the fore because they will be recurring elements as I examine the policies individually and consider whether they 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 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 development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined and will consider the Neighbourhood Plan against all of the basic conditions above. However I am choosing to consider compatibility with European Union (EU) obligations first because one aspect of this is a matter that features significantly in the representations I have received.

### **European Union (EU) Obligations**

A neighbourhood plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant.

Although the Basic Conditions Statement does not address this specifically, Swindon Borough Council has confirmed that no part of the Neighbourhood Area lies within a zone of influence of a European designated site. Since no European sites would be affected by the policies of the Neighbourhood Plan consequently there was no requirement for a Habitats' Regulations Assessment in accordance with EU Habitats Regulations.

Similarly, I am satisfied that the submitted Wroughton Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no representation that has been submitted to me to suggest otherwise. There have been numerous opportunities for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis I conclude that the submitted Neighbourhood Plan does not breach, nor is in any way incompatible with the ECHR.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, as the Neighbourhood Plan seeks to allocate land for development, Planning Practice Guidance (11-027) identifies this as one of the limited circumstances where a neighbourhood plan could have significant environmental effects. Accordingly, in line with the Guidance, Swindon Borough Council issued a screening opinion (April 2015) requiring a Strategic Environmental Assessment (SEA). This was then undertaken by a working group on behalf of and then approved by the Parish Council.

An SEA Scoping Report was prepared (July 2015) by Swindon Borough Council on behalf of the Parish Council. The document had proper regard for the comments from the statutory consultees, namely Historic England, Natural England and the Environment Agency, none of whom raised any objections.

The guidance issued by the Secretary of State, says that an SEA is required to "focus on the environmental impacts which are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan" (Planning Practice Guidance 11-030). Consequently, whilst a neighbourhood plan must be compatible with EU obligations, the content of an SEA supporting it need only be proportionate to the plan itself. It therefore seems entirely reasonable that the Parish Council itself undertook the preparation of the SEA.

In this instance the Plan had to provide for an allocation of land for housing, no additional land for employment was to be allocated. The land allocated for housing had to be "at least 150 new dwellings" for a community of 3472 dwellings (2011 Census) which will have grown during the Plan period by 3700 dwellings as a result of the build out of the already-consented Middle and West Wichel (Swindon BC disaggregated this number for me from the total for Wichelstowe as a whole). Indicatively therefore the dwellings allocated in the Neighbourhood Plan will add just 2% to the total dwellings in the Parish.

The community had made known via the consultation work a view that the rural setting of Wroughton should be protected and every effort should be made to accommodate the new

dwelling within the existing settlement boundary. The within-settlement search recognised the potential to couple new housing with the bringing of “disused, derelict and ‘eyesore’ sites back into use” for a prospectively double benefit. As the work progressed it became apparent that, despite best efforts, within-settlement sites were insufficient and several outside-settlement sites with potential for housing were identified, all immediately adjacent to the settlement boundary and predominately on the eastern side of Wroughton, away from the AONB. Theoretical options, such as the redevelopment of existing areas of the village at a higher density, were quite reasonably not examined because they had no realistic potential.

In evaluating the potential of all sites, within and outside the settlement boundary, the Parish Council utilised and adapted the housing site selection process undertaken for the Swindon Borough Local Plan 2026 which passed examination and was adopted in March 2015. The Strategic Housing Land Availability Assessment (SHLAA) documents produced by the Borough Council were used to inform the individual site evaluations. The Borough Council have confirmed that the housing site selection process undertaken for the Neighbourhood Plan work represented a fair adaptation of the directly comparable approach used successfully for the Swindon Borough Local Plan 2026. But the Parish Council also looked to continue the ‘double benefit’ approach adopted for within settlement sites i.e. bringing “disused, derelict and ‘eyesore’ sites” back into making a positive contribution.

The primary strategic planning issue to be settled through SEA was therefore whether the (modest) scale of new housing envisaged, after accommodating as much as possible within the settlement boundary, could be accommodated sustainably, after due consideration of available and appropriate mitigation measures. There was no realistic *alternative* approach if the required housing numbers handed down from the Local Plan were to be met (and without this the Neighbourhood Plan could not meet the basic conditions) but it had to be established that the extension to the built up area was being achieved in a sustainable way – and evidently some individual sites may be more susceptible to suitable measures of mitigation. The issue of prospectively greater coalescence with Swindon is as much a matter for urban form deliberations (“to preserve the separate physical and community identity of Wroughton”, 5.125 Swindon Borough Local Plan 2026) as for strategic *environmental* assessment, but it is certainly amongst the relevant planning issues and I will return to that matter again at the appropriate points later in this Report.

In August – October 2015 a consultation specifically on the SEA Report was undertaken and this is referred to in the Statement of Community Involvement. Specific invitations to comment were sent to the statutory consultees, Historic England, Natural England and the Environment Agency, amongst others, and again none raised any objections. The SEA work was undertaken in full consultation with Swindon Borough Council and they have confirmed that they are satisfied that the assessment was conducted thoroughly and appropriately for the content and level of detail in the Neighbourhood Plan (Planning Practice Guidance 11-030).

However, a number of lengthy comments raising issues about the validity of the SEA process were received from prospective developers or their agents. The comments received were considered by the Parish Council but, after due deliberation, no amendments to the SEA Report or the draft Neighbourhood Plan were made because none was considered to be necessary. The Parish Council proceeded to submit the Neighbourhood Plan, with supporting documents, to Swindon Borough Council for the formal public consultation (October 2015).

As a result of the Regulation 16 consultation a number of representations have raised or re-raised concerns regarding the SEA. These included objections to the timing, scope, definition of terms and approach adopted. I will consider these in turn.

## Timing

The Planning Practice Guidance says (11-029): “work on [the SEA] should start at the earliest opportunity. This is so that the processes for gathering evidence for the environmental report and for producing the draft neighbourhood plan can be integrated, and to allow the assessment process to inform the choices being made in the plan.” It is evident that the request by the Parish Council (February 2015) to Swindon Borough Council for a screening opinion was made after the substantive work on the preparation of the Neighbourhood Plan was complete, albeit within the request it is apparent that the Parish Council were suggesting reasons from their work thus far why an SEA might not be required. At the point that the Borough Council screening opinion - that an SEA was required - had been given there was no prospect of fully integrating the SEA work within the Plan work without iterating the Plan processes. However, it is evident that substantial consideration of environmental issues was a core and well considered aspect of all the plan preparation work and the benefits of all this work were brought to bear within the SEA structure. In addition, the Parish Council has made strenuous efforts to ensure that all the evidence documents from which they have drawn have been available, either via the Plan website or on request. From the SEA Report it is apparent that a significant consequence of the SEA structure has been that the more refined separation of impact and mitigation which is thereby presented with greater clarity for the community.

The Parish Council have pointed out that they did undertake the SEA “at the earliest opportunity” once they had been alerted to the need for one. If there was an earlier error of judgement here it is, given that this is an assessment being undertaken (appropriately for a Neighbourhood Plan) by lay people, an error that is readily understandable. The delay does not undermine the fact that the SEA was well informed, proportionate and presented with beneficial clarity. And crucially, the SEA Report passed the test of ‘the experts’ and no objections were raised by the statutory consultees or the local planning authority.

## Scope

The Wroughton SEA notes (para 5 of the Executive Summary) that “the draft Neighbourhood Plan has been an ongoing process, based on feedback from the community, led by a clear idea and vision for the future of the Parish. This meant that alternative policy options were not generated as part of its development.” The Planning Practice Guidance says (11-037) “Reasonable alternatives should be identified and considered at an early stage in the plan making process as the assessment of these should inform the preferred approach. This stage should also involve considering ways of mitigating any adverse effects, maximising beneficial effects and ways of monitoring likely significant effects.”

It is very apparent to me that the Parish Council and the SEA had the same starting point – a concern to protect the environment. It is also evident that it was recognised early in the plan making process that there was no option - however undesirable the idea at the outset – other than to allocate housing sites outside of the settlement boundary. Therefore I think that the wording from the SEA quoted above is not an entirely fair to the approach that was actually evident; a difficult option was necessarily addressed. But as noted above, there was no realistic or reasonable *alternative* option if the required housing numbers handed down from the Local Plan were to be met (and without this the Neighbourhood Plan could not meet the basic conditions).

Representations have asserted that the SEA should not have been done on a “whole plan” basis and that the individual policies should have been tested. But the primary issue that gave rise to the need for an Assessment was the housing land allocation and, at the scale of the issues that are being assessed and the desire to have a cross-cutting of benefits to address any adverse effects, the matrix adopted gives a good framework which does not

exclude any content and allows the writers to elucidate, and the readership to see, interconnections.

Ultimately, the Report shows a refined appreciation of “considering ways of mitigating any adverse effects, maximising beneficial effects” and this is a core element of planning positively for housing numbers, particularly where this must involve an extension to the settlement boundary. The benefit that has been associated with the process of outside-settlement development – reuse of degraded land – is an inherent part of the mitigation, unlike the use of bolted-on measures such as on-site energy efficiency and additional planting, both of which can also be deployed for further benefit.

#### Definition of terms

There has been much concern over the distinctions being made in the SEA and the Neighbourhood Plan between ‘brownfield’ and ‘greenfield’ land. Unfortunately these are terms that are now commonly used colloquially as well as more specifically, but not always consistently, by professionals. The NPPF (para 17) prefers the term ‘previously developed land’, which it acknowledges can be synonymous with ‘brownfield’. It does not further define ‘brownfield’ but it does include in its Glossary a very specific definition of ‘previously developed land’:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

The NPPF does not use the term ‘greenfield’ but is more nuanced with reference to land of lesser and greater ‘environmental value’. It is apparent that the Parish Council has not generally used the term ‘brownfield’ with full regard to all the nuances from the NPPF definition above. I will return later to this issue as it relates to a specific site allocated in the Neighbourhood Plan (DP2).

Compounding the confusion, in response to a comment on this matter, the Parish Council made reference to another term, ‘previously *used* land’, which it suggested was defined in the Planning Policy Guidance (unreferenced). A search of the current Guidance has not identified either the use of the term or a definition, and that would be unlikely since the Guidance relates directly to the content of the NPPF.

Having now examined all the contexts for the colloquial ‘greenfield’ and ‘brownfield’ where they are used in the SEA I don’t believe they are inconsistent with the NPPF’s Core Planning Principles (para 17) that include two (interrelated) expectations that planning should:

- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

At its conclusion the published SEA says:

The Neighbourhood Plan could lead to: positive effects in respect to the efficient use of land and prioritising the development of previously developed land. It could bring back into use for housing land which was previously used for landfill.

Despite the confusing punctuation, it is apparent that the two matters of mitigation, whilst linked, are not being conflated.

## Approach

One representation has included the comment: “A late SEA which is in reality no more than an ex post facto justification of a Plan prepared without SEA input will be unlawful” and has drawn upon case law to explain this. I cannot agree, reasonably or proportionately, that the SEA here can be characterised as self-serving. The SEA, whilst not error free, represents a workmanlike and clearly set out assessment of the Neighbourhood Plan’s objectives and the issue of growing the built-up area by less than 2% (after allowing for within-settlement sites). Very significantly, even given three specific opportunities to object to the approach and content – including the Regulation 16 consultation - none of the statutory consultees has found reason to take issue with the Assessment. National guidance says that the ultimate responsibility for determining whether a draft neighbourhood plan meets EU obligations is placed on the local authority (Planning Practice Guidance 11-031). Significantly therefore, Swindon Borough Council have stated that they consider the Neighbourhood Plan to be compatible with EU obligations. In addition the Borough Council have confirmed that the housing site selection process, undertaken as a core element within the Neighbourhood Plan work, represented a fair adaptation of the comparable approach adopted for the Swindon Borough Local Plan 2026, adopted in March 2015. In both cases environmental considerations were prominent amongst the factors assessed in arriving at conclusions about favoured sites to accommodate new housing. Ultimately the test is whether the Plan allocation represents sustainable development not whether some alternative might be somehow *more* sustainable. The Assessment was fair and conclusive.

For the reasons set out in appropriate and balanced detail above, I conclude that the basic condition relating to European Union obligations has been met.

## The Plan in Detail

I will now address the other aspects of the Neighbourhood Plan that are relevant to the Examination in the same sequence as the Plan. Recommendations are identified in bold italics.

### Front cover

A neighbourhood plan must specify the period during which it is to have effect. The cover includes a clear reference to the 2015 – 2026 period that the Plan will span and this has also been confirmed within the Basic Conditions’ Statement. I note that the end date, helpfully for the dovetailing of Plans, coincides with that for the Swindon Borough Local Plan 2026.

### 1. Introduction

Setting out a brief background to the preparation of the Plan is helpful both to provide a context for the themed sections that follow but also to signpost to related documents with which the Plan ought to be read for completeness. I think there is more that could be done in relation to this latter point as well as some modifications that ought to be made for accuracy.

1.1 Although the joint working with other bodies is to be commended as it has undoubtedly led to a stronger, well supported end product, it ought to be made clear that the ‘qualifying body’ responsible for the preparation of the Plan is the Parish Council.

***Recommendation:*** reword 1.1 as: “Wroughton’s Neighbourhood Plan has been produced by Wroughton Parish Council, as the qualifying body, working in conjunction with Vision for Wroughton and the Alexandra Park Residents’ Association.”

1.2 At the time of the publication of the Plan and its submission, public engagement had extended over a considerably longer period than “the last 12 months” indicated (it would seem that this has remained unedited from earlier versions of the document). This would

also be a convenient point to cross-refer to the companion Statement of Community Involvement.

**Recommendation:** reword 1.2 after the first sentence as: “The policies and objectives within the plan have come from the ideas, views and opinions of Wroughton residents who have engaged in the consultation events over many months (fuller details are provided in the accompanying publication ‘Statement of Community Involvement’ 2015).

1.4 A plan showing the boundary of the Wroughton Neighbourhood Area is referenced here and set out as Appendix 3 to the Plan. Whilst the Parish Boundary and the Neighbourhood Area are the same, the purpose of including the map is to define the plan area and it would therefore be appropriate for the references to say that. Also, in this paragraph and 1.5 there is a reference to West Wichel and Middle Wichel, parts of Wichelstowe. Whilst it is not a matter affecting the defining of the boundary, I believe it would be helpful to readers of the Plan to know the location and scale of these new communities; rather than add an additional map, an indicative outline could be included inside the boundary on the map at Appendix 3.

**Recommendation:** Amend the title of Appendix 3 on the Contents page and on the map itself to “Neighbourhood Plan area”; amend the legend on the map to read: “Neighbourhood Area & Parish Boundary”.

**Recommendation:** Amend the reference in italics at the foot of 1.4 to read: see Appendix 3: map of Neighbourhood Plan area.

**Recommendation:** Add as an indicative outline the locations of West Wichel and Middle Wichel and name them in a manner comparable to Wroughton on the map.

### **What is the Neighbourhood Plan?**

The term ‘brownfield’ in the third bullet point is probably misapplied here; I suggest that this should read:

- Maximises development opportunities within the settlement boundary and reuses derelict or degraded land.

### **Footnote page 1**

Whilst I appreciate that it has been of particular importance in the preparation of the Plan that local residents understand that there are matters included in the Swindon Borough Local Plan that must be addressed, there is a danger in paraphrasing what the legislation and guidance actually require eg “comply” is not the word actually used within the basic conditions. Since section 2 addresses the legal requirements more formally, and repeats the main part of the point being addressed in the footnote, I believe that it would reduce potential confusion if the footnote was omitted.

Puzzlingly, although the paragraph correctly notes that “To date a small number of dwellings have been built or have received permission since 2011 and these can be counted against the 150 homes allocated in the Local Plan”, neither here nor elsewhere is the number of these new dwellings recorded. Since the number is a matter of public record and should not be ignored I will later make reference to the data to ensure absolute clarity on numbers.

**Recommendation:** delete the whole footnote on page 1 from “Wroughton Neighbourhood Plan must....” to “...homes allocated in the Local Plan”.

## 2. Meeting the legal requirements

As noted above, in setting out for information the basic legal context within which the Plan has been prepared, there is a danger in paraphrasing. As the Basic Conditions Statement provides confirmations that the legally defined approach has been adopted, it should be sufficient to cross-refer to that. Adopting similar but not quite the same wording may cause confusion about what guided the work as well as what I, as Examiner, have been working to in the assessment of the Plan.

**Recommendation:** reword 2.2 to read “The Wroughton Neighbourhood Plan must meet ‘basic conditions’ relating particularly to the hierarchy of plans as set down in the Act before it is put to a referendum. Specific details are provided in the Basic Conditions Statement (included in the ‘Statement of Community Involvement’ 2015).

**Recommendation:** reword 2.3 to read:

The Swindon Local Plan 2016 planning context for Wroughton is set out in the quote in the adjacent box. There are numerous generic strategic policies which are designed to benefit Wroughton. More specifically, Policy SD2 (The Sustainable Development Strategy) sets out how the additional dwellings’ requirement for the Borough will be distributed and includes “at least 150 dwellings” for Wroughton with Policy LN1 (Local & Neighbourhood Planning) indicating that sites to accommodate the dwellings’ requirement should be allocated through the Neighbourhood Plan. The Wroughton Plan has therefore set out, amongst other matters, to meet this expectation in a sustainable way for the community.

2.4 The summary of the Strategic Environmental Assessment (SEA) process could and should be a lot tighter given that it can cross-refer to the companion documents themselves and, as is required, the SEA Report has its own plain language summary.

**Recommendation:** reword 2.4 to read “A screening opinion on the draft Neighbourhood Plan was requested from Swindon Borough Council to determine whether a Strategic Environmental Assessment (SEA) was required. It was concluded that, as there was potential for significant environmental effect, an SEA was required. The SEA five stage process was undertaken, as set out in the companion report ‘Strategic Environmental Assessment’ 2015. The Assessment concluded that the draft Plan performed well and would help to deliver sustainable development. No significant negative impacts were identified, and where minor negative impacts were identified these would be mitigated by policies within both the Neighbourhood Plan and the Swindon Local Plan 2026.”

2.6 Whilst the commitment to review progress and act upon review is vital, the final sentence does not appear to have been written from the perspective of the Parish Council as the qualifying body; to whom would “recommendations” be addressed? I note that Swindon Borough Local Plan Policy LN1 (Local & Neighbourhood Planning) indicates that the Borough Council will act if, within the first 5 years of the plan period, there has not been “sufficient allocations of local housing development”.

**Recommendation:** reword the final sentence of paragraph 2.6 as:

Wroughton Parish Council will lead a review of Neighbourhood Plan progress, involving partner organisations, at least once every three years and will act urgently and appropriately on the findings.

### 3. The right housing in the right place

Whilst the title here is engaging, in reality the policies that address the 'right place' element are at section 9. The narrative at section 3 seems to provide an overview of the range of housing issues but there is then no explanation as to why the development/site allocation proposals have been deferred to a later section. Section 9 necessarily has to duplicate elements – such as the objectives – from section 3 and there is an evident danger that a reader of either section will miss the inferred cross-reference to the other. I therefore suggest that section 9 should be merged within section 3, but I am aware that it would be unhelpful in doing this to lose the Policy references for the allocated sites that have been used to date. Accordingly I suggest:

- the last Policy within the RH sequence (my recommendations below will involve some renumbering) becomes a table headed - Housing Allocations: the Neighbourhood Plan allocates land for “at least 150” new dwellings on the following sites:
- the elements of the table can then be the sites individually referenced by the site numbers used on the allocations map
- site specific policies to be attached to each allocation can be set down in the table.

**Recommendation:** for clarity I have shown a revised format as a new RH6 below.

3.5 This paragraph needs amendment since it is inaccurate and unfortunately reuses the term 'brownfield'. This is also the point to include the paragraphs, reworded as necessary, from section 9 and any element from the footnote on page 1 (as above) that would not duplicate content.

**Recommendation:** reword 3.5 and incorporate the related narrative from section 9 as 3.6 to 3.9 to read as follows:

3.5 Wroughton's Neighbourhood Plan must be in “general conformity” with the “strategic policies” of the Swindon Borough Local Plan 2026. A specific requirement is that the Neighbourhood Plan allocates sufficient sites to accommodate “at least 150” new dwellings (a dwelling is defined as a self-contained unit). These new dwellings are in addition to the new communities being developed at West and Middle Wichel. However, new dwellings in the remainder of the Parish which have been built or have received planning permission since 2011 can be counted so as to reduce the balance to be accommodated by 2026.

3.6 Twenty-four possible housing development sites were identified from a variety of sources including Swindon Borough Council's Strategic Housing Land Availability Assessment (SHLAA) 2013, local knowledge, approaches from developers for inclusion and suggestions made by members of the community during the consultations. Each site was carefully assessed against local and national policies and other guidance including for sustainability, availability and deliverability. Consultation responses indicated that the community favoured development within the village settlement boundary and sites with good walking and cycling links.

3.7 Through the Plan preparation process it was not possible to identify sufficient sites for new housing within the settlement boundary (as defined in the Swindon Borough Local Plan 2026 Policies Map). It is recognised that some 'windfall' or infill sites within the settlement boundary may come forward during the lifetime of the Plan and the development of these will be supported if they have appropriate regard for the policies in this Plan and the Swindon Borough Local Plan 2026. However the rate at which 'windfall' sites may come forward cannot be predicted.

3.8 Swindon Borough Local Plan 2026 (Policy SD2c) says that sites outside rural settlement boundaries will be permitted where “local needs have been identified and allocated through a Neighbourhood Plan or Local Development Order”. The Plan was therefore developed to include a site or sites on the edges of the settlement boundary and, as a consequence of

this, a Strategic Environmental Assessment (SEA) was undertaken so as to assess the impact of this.

3.9 The Plan allocates 5 sites that are assessed as being capable of accommodating more than the 150 dwellings; this allows for headroom should estimates of numbers or rates of progress with delivery prove to be optimistic. The NPPF acknowledges (para 16) that Neighbourhood Plans may support more development activity than set out in the strategic Local Plan.

### **Policies**

Picking up the wording from 'What is in the Neighbourhood Plan?' the second bullet point should be reworded:

**Recommendation:** reword the second bullet point under 'Policies' as:

- Maximising development opportunities within the settlement boundary and reusing disused sites wherever possible

### **Objectives**

The third and fourth bullet point objectives should be merged and brought in line with the above:

**Recommendation:** merge and reword the third & fourth bullet point under 'Objectives' as:

- Meet the housing needs of Wroughton through maximising development opportunities within the settlement boundary and reusing disused sites wherever possible

### **Policy Index**

RH1: I note that this Policy effectively duplicates Swindon Borough Local Plan HA2 and it would be confusing to have minor differences of wording; to have included any more onerous requirement would have required an evidenced justification.

**Recommendation:** the Policy should be reworded for clarity as:

New housing developments should include affordable housing provision in accordance with Policy HA2 in the Swindon Borough Local Plan 2026 and when a proportionate contribution is being provided towards homes off-site, wherever possible that contribution should be utilised within the Parish of Wroughton.

RH2: Strictly speaking this is not a land use matter, but as it is a caveat relating to RH1 I do not propose that it be altered, other than to correct the spelling of 'endeavour'.

**Recommendation:** correct the spelling to read 'endeavour'.

RH3: Following the 'making' of the Neighbourhood Plan this Policy describes what would generally be the practical reality for development arising from Swindon Borough Council Local Plan 2026 Policy SD2c and therefore it doesn't need restating, particularly as there is confusion if wordings are not directly comparable.

**Recommendation:** delete Policy RH3 and renumber the subsequent Policies accordingly.

RH4: The definition of 'windfall' here helpfully avoids the need to include, and potentially confuse with, the use of 'brownfield'. The use of small, infill developments had particular support in one representation. Not "all of the policies" in the Neighbourhood Plan will be relevant to housing development.

**Recommendation:** renumber the Policy to RH3 and reword for clarity to:

The development of 'windfall' sites for new housing within the village settlement boundary (as defined by the Swindon Borough Local Plan Policies Map) will be supported if the proposals have appropriate regard for the policies in this Plan and the Swindon Borough Local Plan 2026. *Then continue with the definition as before.*

RH5: A Written Statement to Parliament in March 2015 by the Secretary of State introduced significant changes to national planning policy with regard technical standards for new dwellings. The statement indicated that it should be taken into account in applying the NPPF, in both plan-making and decision-taking. The effect of this Statement is that local planning authorities *and* qualifying bodies preparing neighbourhood plans should not set in their emerging local plans or neighbourhood plans any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Housing to be achieved by new development. Accordingly, the basic conditions will only be met if this Policy is deleted (the related Local Plan Policy is superseded).

**Recommendation:** delete Policy RH5 and renumber the subsequent Policies accordingly.

RH6: In the absence of a clear justification for the suggested '600m' rule this Policy needs to be reworded and it could helpfully be combined with RH7, RH11, RH12 & RH13. As reworded the Policy meets the basic conditions.

**Recommendation:** renumber the Policy to RH4 and reword to:

RH4: Access arrangements for all new housing developments must:

(i) provide convenient and safe routes for:

- pedestrians, people with a disability and cyclists including attention to their interaction with vehicle routes
- linkages with public transport
- vehicles including attention to minimising disruption to existing traffic flows

(ii) where they displace on-street or off-street parking spaces, make suitable replacements.

RH8: Within a Plan that deals with only a handful of specified sites it is possible and beneficial for guidance to be offered site by site according to their characteristics, as indeed has been done for at least two the sites, rather than use the generic "where appropriate".

**Recommendation:** renumber the Policy to RH5 and reword to:

RH5: The type of housing for each allocated site will vary according its size, location and topography. Level sites with good access to local facilities may be particular suitable for 'later life' housing appropriate for a growing segment of the community. Developers should have appropriate regard to the guidance offered in the site-specific Policies set out at RH6.

RH9: This appears to be a partial restatement of the published Swindon Borough Council standards and any variance would need to be justified. To avoid any potential for confusion this Policy should be deleted.

**Recommendation:** delete Policy RH9 and renumber the subsequent Policies accordingly.

RH10: As with RH5 above, I fear that this Policy amounts to a local technical standard which would not accord with the Minister's Statement.

**Recommendation:** delete Policy RH10 and renumber the subsequent Policies accordingly.

RH11: As written the Policy is problematic when applied to the redevelopment of car parks or garage courts as is being proposed within the site allocations and so the desired approach has been incorporated at the renumbered RH4 above.

**Recommendation:** delete RH11, RH12 & RH13 having incorporated them into the new RH4.

New RH6: the details for this are included as tabulated below and I will now then consider the site specific allocations so as to determine whether the basic conditions are met.

**Recommendation:** add RH6 as follows:

**RH6: Housing site allocations**

The Neighbourhood Plan allocates land for housing for a minimum of 150 dwellings on the following sites:

<i>Site ref:</i>	<i>Location</i>	<i>Dwelling nos.</i>	<i>Site specific policy:</i>
DP1	Site of disused retail units on Devizes Road	8	The site is within the area identified as The Heart of the Village and development proposals must have appropriate regard for Policies HV1 & HV3
DP2	Land at North Wroughton	120	Development proposals for this site shall provide: <ul style="list-style-type: none"> <li>• soft landscaping to the north to protect the views into Wroughton from the north</li> <li>• soft landscaping to protect the sports field to the south</li> <li>• for future access, possibly by way of a no through road, to any future schools' campus to the west</li> </ul>
DP4	Site of garages on Perrys Lane	5	Development proposals for this site shall be sensitive to the location adjacent to a listed building
DP6	Site of Haskins car park on Sun Lane/High Street	6	The site is within the area identified as The Heart of the Village and development proposals must have appropriate regard for Policy HV3 Development proposals should look to include 'later life' homes
DP7	Land to the east of Ridgeway School	34	Development proposals for this site must provide for the relocation of the present sports and leisure facilities
All development proposals must meet the requirements set out in this Plan and the Swindon Borough Local Plan 2026.			

**DP1: Site of disused retail units on Devizes Road**

This certainly matches the objective of bringing derelict and eyesore sites back into use. But compliance with Policy HV2 is required and yet that policy (as written in the Neighbourhood Plan document) resists changes of use to residential, which is what this allocation now proposes. Confusion here is compounded by the recorded rejection (Statement of Community Involvement, p19) of a request for clarification that the site allocation was for residential purposes; since the site was being counted toward the total housing requirement and the site already had a retail use, the clarification ought to have been included. Further, there is added an obligation, albeit one that is worded merely as an invitation, to provide a site (unspecified) for a Wroughton Museum. Why this non-housing obligation might rest on this site is unexplained and yet it results in a developer not having clarity of what is required of them and perhaps resulting in the site being undeliverable. To allow the allocation to meet basic conditions it would be better to locate the Museum requirement where the narrative

indicates, in the section on heritage. And to indicate that that this site is accepted as a good one for housing the inconsistent HV2 requirement should be omitted. As reworded the Policy meets the basic conditions.

**Recommendation:** The site specific policy for DP1 (within the allocation of sites for housing) should be reworded as:

The site is within the area identified as The Heart of the Village and must have appropriate regard for Policies HV1 & HV3.

DP2: Land at North Wroughton

The selection of this site has proved to be controversial, particularly with those seeking to promote alternatives. In particular representations have pointed out that the Parish Council has misguided itself in defining the site as 'brownfield'. As noted earlier, the NPPF does not contain a definition of 'brownfield' per se but rather brackets it as an alternative to 'previously developed land' which is then defined in some detail (as referenced earlier). It is now clear that the site does not meet the NPPF definition of 'previously developed land'. Land that "has been developed for .... waste disposal by landfill purposes where provision for restoration has been made through development control procedures" is excluded from the definition; Swindon Borough Council have now confirmed – and a representation likewise - that this exclusion applies to this site. However, the NPPF does acknowledge that land will vary by 'environmental value' and one of the Core Principles in the NPPF (para 17) is that "Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework".

To even the casual observer the land at DP2, which has been restored after landfill, is degraded and of poorer visual quality. It has an existing residential frontage onto Swindon Road from which (in common with other eastern sites) it is accessed. All other things being equal, it is certainly not perverse for the community to express a preference for using degraded land before that perceived to be of higher quality and environmental value to the community.

However, as representations have made clear, not all other things *are* equal and in particular the DP2 site lies within an area defined on the Swindon Borough Local Plan 2026 Policies Map as an 'Indicative Non-Coalescence Area' which is further described at Policy NC1g: "The character and identity of Wroughton will be protected by a principle of non-coalescence between the settlements. The land between Wichelstowe and the village shall remain part of the countryside. However, small scale development within this area, as defined on the Policies Map, will be permitted where it retains or enhances the existing character of the countryside and:

- involves the re-use, conversion or extension of existing buildings at a scale appropriate to their location.....; or
- is an essential requirement directly related to the economic or social needs of the rural community."

But the Local Plan also says (SD2c) that Wroughton is a primary area for rural development and that development outside the rural settlement boundaries will be permitted where local needs have been identified and allocated through a Neighbourhood Plan or Neighbourhood Development Order. Further the Local Plan at LN1 supports local community plan-making and commits the Council to support neighbourhood planning.

The Neighbourhood Plan acknowledges (p1) that "The community has told us that it wants the plan to shape development so that it: [first three items listed from ten]

- Meets local housing needs;
- Encourages development of brownfield (*sic*) land and the use of derelict sites;
- Maintains the village's separate identity from Swindon;"

It is evident that the Neighbourhood Plan and the Local Plan are consistent at the level of objectives. The question that is raised is whether the allocation of Site DP2 specifically can be seen as being in “general conformity” with the “strategic policies” of the Local Plan. Neither NC1 nor SD2 is written so as to be completely restrictive and exceptions are included; and the background to that is the NPPF presumption in favour of sustainable development. My judgement is that the DP2 allocation has been written so as to have proper regard for the exceptions included within the Local Plan policies and that it would be within the bounds of possibility that a housing proposal could be made to both meet the requirement to address housing need *and* not compromise the strategic intent of the policy exceptions. For instance a clustered development could better define the urban edge and fund the enhancement of the adjacent countryside. It is reasonable that a community-led Neighbourhood Plan should interpolate between higher level policies whilst still meeting their strategic aims. Transparently the Plan housing site allocation seeks required growth *and* sustainability. Neighbourhood planning aims to give “communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need” (para 183, NPPF).

My role is only to look at whether the basic conditions have been met “and no other material consideration”. However, Planning Practice Guidance does specifically note that while Neighbourhood Plans need to be aspirational, they also need to be realistic and deliverable (41-005: “If the policies and proposals are to be implemented as the community intended a neighbourhood plan needs to be deliverable.”). In this regard I note particularly that the Environment Agency was content with the allocation of site DP2 “in principle” whilst noting some water course issues that prospective developers would need to address. Natural England was generally supportive with an acknowledgement that “planting of trees of the appropriate species...and with enough space within the development [could] visually break up the massing of the housing”.

This site is now the subject of a planning application that seems to indicate that the policy burden pertaining to the site has not been so onerous as to deter deliverability. The reasoning above combined with this knowledge lead me to maintain my conclusion that the basic conditions are met. However, the outline application is for 104 dwellings rather than the capacity of 120 suggested which reduces scale but also potentially reduces the headroom that was being sought in the Plan by an over-allocation of sites. I will return to totals later.

The reference included within Policy DP2 to Policy RH10 is confusing since the identified need for flexibility seems to be directed at the local authority Planning Officers rather than prospective developers. Any such ‘flexibility’ should normally be within the relevant policy rather than the site-specific allocation. And as noted above the target of the Policy RH10 would not meet with the Ministerial Statement. Accordingly, the reference should be deleted. As reworded the Policy meets the basic conditions.

**Recommendation:** The site specific policy for DP2 should be reworded for clarity as: Development proposals for this site shall provide:

- soft landscaping to the north to protect the views into Wroughton from the north
- soft landscaping to protect the sports field to the south
- for future access, possibly by way of a no through road, to any future schools’ campus to the west

DP3: Site of the Infants’ School on Wharf Road

This allocation is problematic and representations have also expressed concerns. In order for the allocation to be deliverable there would need to be some confirmation that the relocation site (undefined but assumed to be the schools’ ‘Campus’ site mentioned

elsewhere) either presently has the capacity or has allocated expansion space to accommodate the relocated school. The new school building would then need to have been completed to allow the present site to be released. I note that the Neighbourhood Plan has a ten year time horizon. Whilst it is admirable that the Plan document should be sending signals about ways in which the village could be improved, the allocation of this site would need to follow on from an evaluation of the capacity of the relocation site, which this Plan has not attempted, alongside an implementation plan. The Policy therefore lacks clarity, deliverability and the required companion Policies.

**Recommendation:** I can't devise a modification that would allow this allocation to meet the basic conditions and so it should be deleted (but I do not propose renumbering so as to maintain reference number continuity with the submitted Plan).

#### DP4: Site of garages on Perrys Lane

Whilst the scale of this site might indicate that it could come forward as a 'windfall' site, I accept that the positive allocation in the Plan may encourage developer interest. However, I note that Swindon Borough Council SHLAA document (ref 394) suggests that "access to the site ...is a single-track drive and is not suitable for a housing development". Given that larger sites could be delivered earlier in the ten year Plan frame, a late start could be accommodated. Neighbourhood Plan Policy RH11 relating to the replacement of parking provision could have been problematic but I addressed this via an earlier modification. The SHLAA further notes that the site is adjacent to a Listed Building (Mill House) and this would merit a specific condition (as was also noted by Historic England as a general point in their representation). As reworded the Policy meets the basic conditions.

**Recommendation:** The site specific policy for DP4 should be reworded as:  
Development proposals for this site shall be sensitive to the location adjacent to a listed building.

#### DP5: Site of former orchard at The Pitches

Again, the scale of this site might indicate that it could more appropriately come forward as a 'windfall' site. Since the owners say that they have no intention of initiating a development the site must be considered undeliverable as an allocation.

**Recommendation:** This site should be left to come forward, if at all, as a windfall site and so Policy DP5 should be deleted (but I do not propose renumbering so as to maintain reference number continuity with the submitted Plan).

#### DP6: Site of Haskins car park on Sun Lane/High Street

It is unclear how this proposal relates to Policies HV2 (the land presently attaches to a commercial use) and RH11 (the land is presently used for parking so it could not be developed *and* reaccommodate the same amount of parking). A representation notes: "In terms of the Haskins site itself, it is relevant to note that the Neighbourhood Plan proposes housing on the main Haskins garage car park which could only be implemented if the garage business closes because the parking is essential to its operation". I understand that this site is now the subject of a planning application that incorporates the adjacent garage, which further complicates the relationship with HV2. I have addressed these matters in considering the modifications to Policies HV2 & RH11. The allocation Policy also needs to be revised; as reworded the Policy meets the basic conditions.

**Recommendation:** The site specific policy for DP6 should be reworded as:  
The site is within the area identified as The Heart of the Village and must have appropriate regard for Policy HV3  
Development proposals should look to include 'later life' homes.

#### DP7: Land to the east of Ridgeway School

This allocation suffers from similar problems to Policy DP3. The site – presently designated as Open Space - cannot be released for development until the Campus proposal has been evaluated in terms of the site capacity and a suitable site for the relocation of the school

playing space (if the capacity study indicates this is required) has been allocated. The Neighbourhood Plan does not address either of these matters. A representation has asserted that the allocation of this site “would be further erosion of the area to the north of Wroughton towards the M4 which forms the wider non-coalescence area to protect this important wider area of undeveloped land”; I note however that the site is not included within the ‘Indicative Non-Coalescence Area’ on the Swindon Borough Local Plan 2026 Policies Map

More positively, the largest part of the site is within the village settlement boundary and therefore should have a priority for allocation. The Swindon Local Plan 2026 Policy EN3 on Open Space does provide for sites to be developed in certain circumstances and amongst these is if “it can be demonstrated that alternative provision can be made locally of equivalent or better size, quality and accessibility”.

The constraints are significant but could conceivably still allow for the development of the site toward the end of the Plan period; present indications are that the delivery of sites across the Parish will be ‘front loaded’ because a larger site is likely to make the earliest progress. I am also mindful that the release of the site could contribute to enabling desired improvements to the adjacent education facilities. As reworded the Policy meets the basic conditions.

**Recommendation:** The site specific policy for DP7 should be reworded as: Development proposals for this site must provide for the relocation of the present sports and leisure facilities in accordance with Swindon Borough Local Plan 2026 Policy EN3.

On the matter of the process adopted for site selection in general, in any such process it is always possible to argue that should a different weight be given to a certain factor it would suggest another site might be preferable, but the input from the community has been considerable and productive and it is the very hallmark of Neighbourhood Planning. No representation has convinced me that the process used to inform the choice of sites for allocation is so badly flawed that the Plan would fail to comply with the basic conditions. The test is whether the proposed plan allocation represents sustainable development not whether some alternative might, with an adjustment to weightings, be somehow *more* sustainable.

As to dwelling numbers, representations have asserted that the total required under the Swindon Borough Local Plan 2026 cannot be achieved and therefore the Plan could not meet the basic conditions. I note however that the recommended modifications above mean that the prospective number of dwellings on allocated sites is reduced from 200 to 176; after allowing for the revised estimated capacity at DP2 arising from the current planning application, the revised total is 160. Adding in the officially recorded number of dwellings completed or with a planning permission at the time of writing this report (10) the total is 170. This betters by over 10% the minimum number set down in the Swindon Borough Local Plan 2026; the basic conditions are met.

One representation suggested: “It should be stressed that the requirement for a review and roll forward of the [Swindon Borough] housing requirement to be completed by 2016 will undoubtedly increase the amount of housing to be found in Wroughton via the WNP” [Wroughton Neighbourhood Plan]. I don’t believe that it is possible to anticipate with certainty that position, and this is not a matter relevant to my considerations in relation to meeting the basic conditions. But I am sure that the community will be only too aware, following the successful Planning Appeal (now the subject of a potential Judicial Review) in relation to Land at Berkeley Farm (within the Parish) (Ref: APP/U3935/W/15/3035660), of the risks accompanying any shortfall in the allocation of land for housing through the Neighbourhood Plan. I do note the potential 10%+ headroom above which is in keeping with good practice. Monitoring of progress may indicate that the Neighbourhood Plan process should be re-

started earlier than the 10 year lifetime indicated for the Plan. Keeping a good headroom in housing numbers will help to ensure that community preferences can continue to provide the basis for planning decisions in changing circumstances for Swindon Borough.

### **Reasons for the policies**

To avoid unnecessary repetition and to accommodate the now increased narrative from the merging of section 9 and the reduced number of Policies from the recommendations above, I suggest that the Reasons should relate directly and only to the Policies as indexed. The revised format could benefit from tabulation.

3.6 The general 'compliance' point is not appropriate here so the paragraph should simply relate to the reworded RH1.

**Recommendation:** renumber as RH1 and reword as:

RH1: The Neighbourhood Plan seeks to meet local housing needs. One of the key findings from the consultation is that there is a need for a range of housing, including affordable homes.

3.7 **Recommendation:** renumber as RH2 and reword as:

RH2: Access to the new non-market housing supply needs to be assured.

3.8 **Recommendation:** renumber as RH3 and reword as:

RH3: Keeping as much of the new housing within the settlement boundary and reusing disused sites through encouragement of 'windfall' sites will meet two of the community concerns raised through consultations.

3.9 **Recommendation:** renumber as RH4 and reword as:

RH4: Good design of access points to new developments is essential to allay expressed community concerns over safety and convenience and potential loss of parking.

3.10 **Recommendation:** renumber as RH5 and reword as:

RH5: A key finding from the consultations was that there is a need for a range of housing, including affordable homes and 'later life' homes. The changes between the Censuses of 2001 and 2011 show that the number of people aged 65 or over had increased by more than 22% (see Appendix 1).

3.11 **Recommendation:** renumber as RH6 and reword in line with 9.6 & 9.8 (9.5 & 9.7 can be deleted as duplication):

RH6: All the sites allocated here for housing are the ones that scored most favourably in the site selection process described at 3.6 and were included within the Strategic Environmental Assessment (SEA). In total the sites allow for the delivery of at least the number of dwellings set down in the Swindon Borough Local Plan 2026 and, where appropriate, specific criteria have been set out to guide prospective developers toward acceptable proposals.

3.12 & 3.13 **Recommendation:** delete as unrelated to Policies.

### **Title to inset box**

**Recommendation:** reword as:

In devising these policies for Wroughton particular attention has been given to the following:

**Footnote:** I suggest that the definitions given as a footnote have served their explanatory purpose as part of the consultation and could now simply be referenced in the inset box.

**Recommendation:** add as a fourth line under the heading 'National Planning Policy Framework' in the inset box: NPPF Glossary: Definitions of affordable and social housing

#### 4. Access to Services

In the narrative pre-amble to the Policies here I note that there is no reference to schools' provision and yet one of the objectives and one of the Policies derives from this topic. I suggest that the paragraphs numbered 4.8 and 4.9 are brought forward to be part of this earlier section, although the latter paragraph will need slight rewording.

**Recommendation:** create new paragraphs 4.6 and 4.7; reuse the wording of 4.8 and renumber as 4.6; for 4.7 word as:

4.7 The main building of the Ridgeway School is estimated to be reaching the end of its economic life and therefore may need redevelopment within the life of this plan.

#### Policy Index

AS1: I note that this Policy effectively duplicates Swindon Borough Local Policy EN3; a variant of the requirements would require evidenced justification and the 'contribution' referred to is liable to duplicate content on the menu of items that the Borough Council has collated for the Community Infrastructure Levy (CIL), as included at 4.346 in the Local Plan.

**Recommendation:** delete as it cannot be reworded so as to meet basic conditions and renumber the subsequent Policies.

AS2 & AS4: Facilities management is not a land use matter and in order to keep the content suitable for inclusion within the Neighbourhood Plan policies rewordings would be needed. The areas identified are, with small differences, already protected as open space (Swindon Borough Council Local Plan 2026 Policies Map). Any allocation for non-open space uses would need a justification.

**Recommendation:** renumber AS2 as AS1 and reword as:

AS1: Retention and enhancement of the sports, leisure and community uses of the open space north of Maunsell Way and Falkirk Road will be supported.

The boundary of the area noted on the map needs to fully align with that shown on the Swindon Borough Local Plan 2026 Policies Map where, in particular, a small parcel of land accessed off Maunsell Way is omitted.

**Recommendation:** renumber AS4 as AS2 and reword as:

AS2: Retention and enhancement of the sports and leisure uses of the open spaces at Weir Field, North Wroughton and the Bowling Green will be supported.

**Recommendation:** The boundaries of the areas noted on the map need to fully align with those shown on the Swindon Borough Local Plan 2026 Policies Map.

AS3: This, albeit tentative and hedged, reallocation of land is problematic in that only general background information has been provided with no specific justification and no assessment of the capacity of the site to ensure its adequacy for any or all of what is suggested. Further I note a cause for confusion since the access (to the south of the Ridgeway School) reserved for the housing allocation DP7 has not been omitted from the boundary for AS3. I think the best that can be done whilst meeting the basic conditions is that the site indicated (as amended) should be given a dotted outline and described as an indicative location for a schools' campus for Wroughton, with similarly revised Policy wording:

**Recommendation:** reword as:

AS3: Should opportunities be presented, the further improvement and consolidation of schools' facilities, in the style of a campus, would be supported at the indicative location shown on the map. The location is indicative only because a substantial feasibility study and full public consultation would necessarily precede any firming up of the boundaries of the site required and the balance between built and open space uses.

**Recommendation:** The boundaries of the areas noted on the map need to fully align with those shown on the Swindon Borough Local Plan 2026 Policies Map and the Neighbourhood Plan allocation of site DP7.

AS5: meets basic conditions

**Recommendation:** renumber AS5 as AS4

AS6: As noted for AS1 above, references to ‘contributions’ need care and detail because of the complexity of constraints.

**Recommendation:** renumber AS6 as AS5 and reword as:

AS5: The provision of community sports and related facilities at suitable locations within the immediate vicinity of Alexandra Park, Thorney Park, Langton Park and Beranburh Field will be supported.

### **Reasons for the Policies**

As for the previous section I suggest that a more explicit and direct link be made between individual policies and Reasons, thus:

#### **Recommendation:**

Merge paragraphs 4.6 and 4.7 to become a new paragraph AS1 & AS2

Paragraphs 4.8 & 4.9 are moved forward to be part of the opening narrative (as above)

Paragraph 4.10 becomes AS3 with the opening sentence being reworded to:

AS3: The education community within the village have indicated support for the idea of an education campus in Wroughton. *Continues as in 4.10*

Paragraph 4.11 becomes AS4

Add new paragraph AS5: All locations within the Parish should have the benefit of convenient recreation facilities.

### **Title to inset box**

**Recommendation:** reword as:

In devising these policies for Wroughton attention has been given to the following:

## 5. Making the ‘Heart of the Village’ the centre of the community

Right at the beginning of this section it should be acknowledged that the Swindon Borough Local Plan 2026 defines the Village Centre for Wroughton as a ‘Primary Rural Centre’ which the Local Plan commits to strengthen (Local Plan Policies EC3 and RA2). It is vital that any Neighbourhood Plan map should show this defined area and explain it in the key. There is a danger that the concept of ‘The Heart of the Village’ could be seen to dilute the focus afforded through the Local Plan unless the interplay of Neighbourhood and Local Plans is made clear. In acknowledgement that ‘The Heart of the Village’ encompasses what the community recognise as Wroughton’s ‘heart’ but is *not* the defined Centre for most planning purposes, the outline of ‘The Heart of the Village’ should be a dotted line with the solid-edged ‘Primary Rural Centre’ identified within it.

**Recommendation:** Amend the map to show with a solid boundary the Primary Rural Centre defined in the Local Plan Policies Map and in dotted outline the area now identified by the community as The Heart of the Village.

(I note incidentally that the Map relating to this section is titled Map1, and referenced at the top of the page as such, but it is in fact the second map in the document, and it is only one of two indexed – this should be resolved at the same time as the map title is amended and a map key added)

**Recommendation:** add a new paragraph at 5.1 and renumber subsequent paragraphs accordingly:

5.1 The Swindon Borough Local Plan 2026 recognises the centre of Wroughton and its High Street as a ‘Primary Rural Centre’ that will benefit from the support and protections appropriate to that position (see Local Plan Policies EC3 & RA2).

Given the title of the section an early explanation of the ‘Heart’ concept is needed rather than this be left until the end at 5.15. I suggest that a new paragraph is added but formed by bringing forward content from 5.9, 5.15 & 5.16

**Recommendation:** add a new paragraph at 5.2 (and renumber subsequent paragraphs accordingly) and a new follow-on opening with Paragraph 5.3:

5.2 The concept of the ‘heart of the village’ was first raised at a consultation evening and the community supported this vision. It is the area where the community ‘comes together’ and is intended to be a focus for the proposed Wroughton Community Plan. The area extends to the west of the village so as to include the Parish Church of St John the Baptist and St Helen; this is also an important gateway to the village from the west. Part of the area thus included is outside the village settlement boundary (as defined on the Swindon Borough Local Plan 2026 Policies Map) but its inclusion does not indicate any support for development proposals in that area.

5.3 Within the village ‘Heart’ there are shops, takeaways and cafes in the Ellendune shopping Centre, the High Street and Devises Road. The Ellendune Community Centre.....  
*continue as per the balance of paragraph 5.1 through to 5.8 (renumbered 5.10)*

### Objectives

**Recommendation:** The third bullet point needs to be corrected to: ‘That Wroughton residents recognise as .....’

### Policies

As has been noted previously as an issue, all the Policies need to be positively expressed and they need to dovetail without confusion with the supportive Policies that are within the Swindon Borough Local Plan 2026.

HV1: I think that HV7 makes a related point and the two could be helpfully combined for clarity.

**Recommendation:** reword HV1 as:

HV1: A valued feature of 'The Heart of the Village' is its open spaces and in particular the green areas adjacent to the Library, Ellundune Shopping Centre, Ridgeway View Health Centre, Hall Close and Barrett Way. Development proposals having an impact on any of these open spaces should be designed so as to conserve its quality and amenity value or, exceptionally, appropriate mitigation measures must be included.

HV2: The approach here does not accord with national or Local Plan policies within which there are more nuanced approaches with provisions for 'permitted development' and exceptions, especially outside of the defined core central area. It is difficult to devise wording that meets the basic conditions whilst still reflecting the intentions of HV2 as written. I have devised a phrase so that the matter of concern is not lost.

**Recommendation:**

HV2: The vitality at 'The Heart of the Village' is a product of the varied combination of community and retail uses. Where a change of use is proposed, it will be supported where it aims to make a positive contribution to or enhance the attractiveness of the centre of the community. Conversions to residential uses are not considered likely to make a positive contribution if they displace community and retail uses.

HV3: meets the basic conditions

**Recommendation:** retain HV3 as written

HV4: There is an evident danger of negatively pre-supposing redevelopment plans; rewording is needed to meet the basic conditions.

**Recommendation:** reword HV4 and incorporate HV5:

HV4: The Ridgeway View Health Centre, the Ellundune Community Centre and the Wroughton Library are all core facilities at 'The Heart of The Village' that contribute to and benefit from its accessibility. Proposals which enhance or enable their retention and improvement in this central location will be supported.

HV6: meets basic conditions

**Recommendation:** renumber as HV5.

HV7: merged into HV1 above.

**Recommendation:** delete HV7

### **Reasons for the Policies**

Using the revised approach illustrated for earlier sections, and part of the existing content having been taken earlier, the 5 elements here would be:

**Recommendation:**

Renumber 5.14 as HV1

Renumber 5.13 as HV2

Renumber 5.12 as HV3

Renumber 5.17 as HV4 but remove the words "will not be permitted, as this" and replace with "will reduce its vitality and".

Renumber 5.18 as HV5.

### **Title to inset box**

**Recommendation:** reword as:

In devising these policies for Wroughton particular attention has been given to the following:

## 6. A great environment in which to live

For completeness and as suggested in the representation by Natural England (and as noted below) the Local Wildlife Sites out to be acknowledged:

**Recommendation:** add a bullet point within 6.1 as follows:

- Coombe Bottom and Wroughton Reservoir are Local Wildlife Sites

### Policy Index

There are problems with a significant part of this section. There are already statutory protections for all the places mentioned in EN1 & EN2 (and Barbury Castle and Elcombe are included in the heritage section which is more appropriate); the entries have potential to confuse because of the more specific protections that are in place. Appropriate protection is a matter for the relevant statutory body and therefore this Policy cannot be reworded to meet the basic conditions.

**Recommendation:** EN1 & EN2 should be deleted and subsequent paragraphs renumbered.

In relation to EN3 & EN4, a need for additional open space within the Parish has not been established with evidence – indeed the introductory narrative identifies a wealth of spaces and the Swindon Borough Local Plan 2026 does not identify a shortage. The sites shown as EN3 & EN4 both lie outside the village settlement boundary and, with one small area excepted, within the Area of Outstanding Natural Beauty (AONB) and therefore gain very significant levels of protection from those Local Plan designations (Local Plan Policies SD2 & EN5). Additionally, a substantial part of the reservoir site (EN4), and beyond, is designated in the Local Plan as a County Wildlife Area (Local Plan Policy EN4). I further note that the reservoir site is also included in the Neighbourhood Plan at section 8: ‘A village that is proud of its heritage’.

Representations were made in respect of both sites. A submission in relation to site EN3 suggested that the site would be “appropriate for a modest residential scheme” and that “a proposal of circa 26 dwellings would preserve the character of the area and not have a harmful effect on the landscape beauty and scenic quality of the AONB”. However, the site selection process did not favour this site. The submission further notes that no justification has been made for a “green zone between Wroughton airport and the village” and the proposed designation of the site is contrary to paragraph 77 of the NPPF, which I will now consider.

The NPPF does provide for local communities to designate areas as ‘Local Green Space’ (para 76) but such sites need to meet specific criteria and, the Planning Policy Guidance notes, “If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space” (37-010). The NPPF specifies (para 77):

“The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

I don’t believe that criterion 2 is met in relation to site EN3. The reason for protecting the site given in the Plan is that in the community consultation it was one of the least favoured for housing development; that is to say that other sites were more favoured but it is certainly not established that this site is “demonstrably special” open space. The site is also noted as “offering a green zone between the site of the Science Museum Group storage facility and

the village”. But that protection is already recognised because it is outside the settlement boundary and within an area designated as an AONB; additionally the topography provides a form of separation. Therefore, having considered a possible alternative to the additional open space designation, for which no justification was provided, I now conclude that alternative Local Green Space designation for EN3 would also be inappropriate. In order that the basic conditions are met EN3 should be deleted.

**Recommendation:** EN3 should be deleted and subsequent paragraphs renumbered.

The same nature of considerations also applies to the site of the reservoir shown as EN4 but, in addition, there is (although not shown on the map) the designation of part as a County Wildlife Area as well as a representation from the owners of the site Thames Water. In their submission Thames Water do not object to the designation of the majority of the site as open space but indicate that an area of now derelict, operational buildings to the north of the site should be excluded. I note that the part referred to is inside the village settlement boundary and not covered by the AONB designation. The site was amongst those considered in the Neighbourhood Plan site selection process, that deliberation having been informed by the SHLAA assessment carried out by Swindon Borough Council as part of the Local Plan process; the site was ranked as 12<sup>th</sup> with just seven sites being selected to meet the housing requirement. The site is also impacted by Neighbourhood Plan Policy HE3 (which I will consider later) which seeks to protect the “setting of Wroughton’s historic reservoir and its historic buildings”.

Within NPPF paragraphs 76 & 77 there is no precise definition of what a Local Green Space must comprise but it is reasonable to assume that it should be green. The Planning Practice Guidance gives examples: “green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis” (37-013). I am therefore doubtful that it was intended that degraded areas with prominent derelict and disused buildings could reasonable be defined as a green area. Further, I do not believe it is claimed that the site as a whole has “historic significance” (referring back to the criteria quoted earlier) because of its green space but rather because of the reservoir located there. The open space value of the site is already substantially recognised with AONB and Wildlife Area designations. The site management issue is not a land use matter but could be addressed within the forthcoming Community Plan. Accordingly I conclude that a case for Local Green Space designation is not established and that the matter of the historic value of the site would be more appropriately addressed through consideration is section 8.

**Recommendation:** EN4 should be deleted and subsequent paragraphs renumbered.

**Recommendation:** The related map should be removed but reconsidered for inclusion within section 8.

EN5: It is problematic to relate this Policy to the objective, but I appreciate that it would seem less than positive if included in section 7. I believe that the community can gain reassurance that these matters are being addressed suitably through the Swindon Borough Local Plan 2026 Policy TR2.

**Recommendation:** EN5 should be deleted and subsequent paragraphs renumbered.

EN6: meets the basic conditions

**Recommendation:** renumber EN6 as EN1

EN7: This is not a land use matter (but is something that might be included in the proposed Wroughton Community Plan).

**Recommendation:** delete EN7

**Reasons for Policies**

Relating these Reasons directly to the one remaining Policy:

**Recommendation:** add the following:

EN1: Access to the countryside that surrounds Wroughton and its uses for recreation can benefit from improved connectivity.

**Title to inset box**

**Recommendation:** reword as:

In devising these policies for Wroughton particular attention has been given to the following:

## 7. A thriving local economy supporting the village

7.4 The issue referred to here of ‘protection’ from residential conversions was reviewed within section 5 looking at the Heart of the Village, where the concentration of commercial and public buildings was being valued. A blanket local policy cannot override the more nuanced approaches of national and Local Plan policies. Observations have been made by others that the related Policy as written (LE5) perversely invites enterprises to leave their premises to become derelict so that they may then benefit from Policy RH3 (as renumbered) to bring such sites back into use.

Without a detailed study of the premises that there is a concern to protect it is not possible for me to devise a more nuanced approach that can meet the basic conditions. However, the Parish Council might feel it worthwhile to examine two issues together, ie changes in the local commercial sector and the desirability of ‘windfall’ housing coming forward within the settlement boundary. It may then be able to devise a positive Neighbourhood Development Order that would have the effect of granting automatic planning permission for residential conversions in situations that are acceptable, thus making such activity much more attractive but not benefitting the situations where conversions are considered unhelpful. The requirements for a Neighbourhood Development Order are set down in the Planning Policy Guidance starting at 41-010. In the absence of such a justified and targeted approach, reference to the issue in this section needs to be deleted.

**Recommendation:** 7.4 should be deleted and subsequent paragraphs renumbered.

7.6: The second sentence would be more appropriately positioned within the ‘Reasons for the policies’ later.

**Recommendation:** at 7.6 delete the second sentence.

### Policy Index

LE1: I note that the Swindon Borough Local Plan 2026 does not expect the allocation of additional employment sites in the Parish but a positive attitude is in line with the NPPF expectations. The Policy needs amending so that Local Plan policy requirements are included.

**Recommendation:** LE1 should be reworded as:

LE1: Development proposals which will provide or increase employment within the plan area will be supported provided they meet the policy requirements in this Plan and the Swindon Borough Local Plan 2026.

LE2: This Policy had support amongst the representations. The Policy as written says it applies to “any proposed development” whereas it should be limited to residential developments.

**Recommendation:** LE2 should be reworded as:

LE2: Within residential developments, the provision of some homes designed to facilitate home working will be supported.

LE3: I note that the Swindon Borough Local Plan at IN4 supports ‘Low Carbon & Renewable Energy’ in a more nuanced way, noting the requirements of national policy. I recognise that a positive approach to renewable energy initiatives is sought but differences in wording between policies have the potential to confuse. Suitable wording would be needed to address this:

**Recommendation:** LE3 should be reworded as:

LE3: In line with Swindon Local Plan 2026 Policy IN4, energy efficiency and low carbon energy generation schemes with major community benefits will be encouraged and supported in principle, subject to all appropriate Neighbourhood Plan and Swindon Borough Local Plan 2026 policy requirements being addressed.

LE4: The Policy as written suggests that the inclusion of 20mb broadband will make *any* proposal supportable; I'm sure that this is not what was intended. I note that this topic is covered in the Swindon Borough Local Plan 2026 Policy IN3. Differences in wording between policies have the potential to confuse. Suitable wording would be needed to address this:

**Recommendation:** LE4 should be reworded as:

LE4: In line with Swindon Local Plan 2026 Policy IN3, development in the Parish should where possible make provision to incorporate super-fast broadband.

LE5: For the reasons noted above when commenting on the narrative, this Policy should be deleted.

**Recommendation:** LE5 should be deleted and subsequent paragraphs renumbered.

LE6: I note that this Policy is a slight adaptation of the wording in Swindon Borough Local Plan Policy RA2. As this is of particular pertinence to Wroughton but provided the wording does not diverge, repetition may be justified.

**Recommendation:** LE6 should be renumbered as LE5 and reworded as:

LE5: Expansion of Science Museum related activities and enabling development will be supported providing the benefits of the development are delivered sustainable and do not conflict with other policies in this Plan and the Swindon Borough Local Plan 2026.

LE7: I note that this Policy is in general accord with Local Plan Policies EC4 & EC5 but the nuances are lost. Differences in wording between policies have the potential to confuse. Suitable wording would be needed to address this:

**Recommendation:** LE7 should be renumbered as LE6 and reworded as:

LE6: Proposals for improvements to, or which increase the viability of, farms, smallholdings and other land-based rural businesses, will be supported providing they do not conflict with other policies in this Plan and the Swindon Borough Local Plan 2026, in particular Policies Local Plan EC4 & EC5.

### Reasons for the Policies

Relating these Reasons directly to the six LE Policies:

LE1: slightly reword 7.7 to fit the context:

**Recommendation:** 7.7 should be reworded as:

LE1: Encouraging local employment enables people to make sustainable travel choices and supports the local economy.

LE2: use the wording of 7.8

**Recommendation:** renumber 7.8 as LE2

LE3: a reason needs to be added

**Recommendation:** The Neighbourhood Plan supports the ambition of the Swindon Local Plan 2026 for low carbon and renewable energy.

LE4: use the wording of 7.9

**Recommendation:** renumber 7.9 as LE4

LE5: a reason is needed

**Recommendation:** The Neighbourhood Plan in concert with the Swindon Local Plan 2026 seeks to maximise the opportunities associated with the Science Museum.

LE6: Use the wording of the sentence deleted from 7.6:

**Recommendation:** Rural businesses form an important part of the village's heritage and local economy and should be supported and protected.

**Title to inset box**

***Recommendation:*** reword as:

In devising these policies for Wroughton particular attention has been given to the following:

## 8. A village that is proud of its heritage

### Policies

By omission, the Policies here are seemingly not confirmed as being aimed to contribute to sustainable development – I feel sure that this was not intended.

**Recommendation:** add after Policies:

These policies aim to contribute to sustainable development by:

- maximising the community benefits from the heritage assets upon which the character of Wroughton has been built

### Policy Index

HE1: As has been noted before, a blanket local policy cannot override the more nuanced approaches of national and Local Plan policies. The NPPF attaches “great weight” to the conservation of heritage assets and their significance (para 132); the wording of HE1 has potential to confuse because of the more specific statutory protections that are already in place, enforced by others. A representation says: “I suggest that it is not appropriate to introduce a simplified and blunt policy approach in a Neighbourhood Plan where there is a body of policy and legal precedent on the correct approach to be adopted to heritage assets”.

This Policy cannot be reworded to meet the basic conditions.

**Recommendation:** HE1 should be deleted and subsequent paragraphs renumbered.

HE2: The expectation that new development should “seek to reflect” the former use of the Wroughton Airfield site is quite obscure as to its expectations. The phrase used at 8.2 in the narrative seems to provide more helpful guidance.

**Recommendation:** delete the final two sentences of 8.2, renumber HE2 as HE1 and reword as:

HE1: Development proposals at the site of the former Wroughton Airfield should, wherever possible, refurbish the existing buildings and new buildings should respect the scale and massing of the historic structures.

HE3: I note that the Wroughton reservoir site is not included within, although it is adjacent to, the Wroughton Conservation Area. Neither are any of the reservoir structures listed by Historic England. Part of the site is included in the AONB and part of that area is, in turn, a County Wildlife Area; these are already constraints affecting the site. It would be open to the Parish Council to pursue other routes to afford the statutory protections of an extended Conservation Area or Historic England listing for this heritage asset, or parts of it, but these are not possible through the Neighbourhood Plan.

Part of the representation on behalf of Thames Water, referred to earlier, objects to the degree of protection proposed for the reservoir site. They note that land to the north with derelict buildings could provide a suitable, small housing site. I have noted that this part of the reservoir site is within the village settlement boundary, is outside the AONB and is degraded; this would indicate a potential as a housing site. Indeed, the site was amongst those considered in the Neighbourhood Plan site selection process, that deliberation having been informed by the SHLAA assessment carried out by Swindon Borough Council as part of the Local Plan process; the Compiled Scores Summary shows that the site was ranked as 12<sup>th</sup> with just seven sites being selected to meet the housing requirement. No obligation has been put on the Neighbourhood Plan through the Local Plan to select sites exclusively from the SHLAA assessment (although, as noted earlier, a reserve position for site allocation is indicated should Neighbourhood Plans not meet the indicated total requirement).

Accordingly, and on the basis of an extensive community consultation, the site was not selected as part of the Neighbourhood Plan fulfilment of the housing requirement passed down from the Swindon Borough Local Plan 2026.

But not even as a part of the Conservation Area or as listed buildings would the site be afforded the degree of absolute protection envisaged in Policy HE3. Swindon Local Plan Policy EN10 is much more nuanced. Suitable wording to express the ambition of the Neighbourhood Plan and meet the basic conditions can be derived from EN10g that relates to locally important or non-designated heritage assets.

**Recommendation:** renumber HE3 as HE2 and reword as:

HE2: Any development proposal that would affect the site of the Wroughton reservoir, a locally important heritage asset, will be expected to conserve its significance, and any harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

**Recommendation:** the site boundary needs to be defined so a map comparable to that used for EN4 should be included here.

HE4: The desirability of locating a site for a Wroughton Museum and history archive is identified (and I have suggested inappropriately included at DP1). This matter might be included in this section.

**Recommendation:** renumber HE4 as HE3 and reword as follows:

HE3: The community would wish to establish a Wroughton Museum but recognise that this is likely to be a shared initiative with others. Development proposals, particularly those within 'The Heart of the Village', should consider whether and how this use might be incorporated.

#### **Reasons for the policies:**

HE1: reuse some of the wording deleted from 8.2 as follows:

**Recommendation:** renumber 8.9 as HE1 and reword as:

The history of the former airfield should be celebrated and reflected in the development of the site as its use changes in the 21<sup>st</sup> Century.

**Recommendation:** add HE2:

HE2: The disused Wroughton reservoir has been recognised as a heritage asset for the Parish.

**Recommendation:** add HE3

HE3: The desirability of celebrating Wroughton's heritage in a Museum was recognised during the consultations.

#### **Title to inset box**

**Recommendation:** reword as:

In devising these policies for Wroughton particular attention has been given to the following:

## **9. Development Proposals**

See comments and recommendations for section 3 above.

## **Appendix 2: Policy Index**

**Recommendation:** bring the content of the Appendix in line with the modifications recommended above.

## Conclusions

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as some of the supporting text and maps, 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 and the deletion of some Policies, the Plan itself remains fundamentally unchanged in the role and direction set for it by the qualifying body, the Parish Council. Where deletions have been recommended because of inappropriate repetition of Local Plan content, the policy requirements within the Swindon Borough Local Plan 2026 will still be effective.

I therefore conclude that, subject to the modifications recommended, the Wroughton 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 development plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

**On that basis I *recommend* to the Swindon Borough Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Wroughton 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 Swindon Borough Council on 5<sup>th</sup> February 2014.