

Wiltshire Council Comments

West Dean & West Tytherley Joint Neighbourhood Development Plan 2021 – 2035 dated 30th November 2020 - Regulation 16 Consultation

Context

These comments set out Wiltshire Council's response to the 'Regulation 16' consultation on the West Dean & West Tytherley Joint Neighbourhood Development Plan 2021 – 2035, dated 30th November 2020 (referred to hereafter as the draft NDP). We welcome the publication of the draft NDP and the significant progress this represents.

Wiltshire Council is fully supportive of neighbourhood planning and has welcomed the opportunity to work with the Test Valley Borough Council (TVBC) as the lead authority for the plan and to engage through TVBC with the Parish Councils and the Neighbourhood Development Plan steering group throughout preparation of the draft NDP.

In 2016, West Tytherley and Frenchmoor Parish Council in Test Valley in Hampshire and West Dean Parish Council (WDPC) in Wiltshire submitted a joint application to the Local Councils for the designation of a Neighbourhood Area covering the two parishes of West Dean and West Tytherley with Frenchmoor. This was subject to public consultation running from 12th February to 29th March 2016, following which the area was designated. The former Buckholt civil parish was subsumed within West Tytherley and Frenchmoor Parish Council in 2019; it is now called West Tytherley, Frenchmoor and Buckholt Parish Council (WTPC) and thus a further application was submitted to both Local Councils in 2020 to widen the neighbourhood area to include the parish of Buckholt (north of the Roman Road). Following public consultation ending on the 27th March 2020, the new neighbourhood area was formally designated.

The qualifying body undertook a Regulation 14 consultation (Neighbourhood Planning (General) Regulations 2012 (as amended)) over the period 16th May 2019 to 28th June 2019. Advice and comments were offered as ongoing dialogue throughout, including Wiltshire Council's Regulation 14 consultation response.

The Regulation 16 consultation undertaken by the lead authority in conjunction with Wiltshire Council gives a further opportunity for comments. Wiltshire Council comments are on the West Dean neighbourhood area ensuring that the draft NDP generally conforms to strategic policies contained in the development plan, which includes the Wiltshire Core Strategy (WCS) and adopted Wiltshire Housing Site Allocations Plan 2020 (WHSAP), and that the proposed policies will be effective in achieving their stated objectives through the determination of individual planning applications. The Basic Conditions have also been reviewed, to ensure the draft NDP aligns with national policies and advice contained in the National Planning Policy Framework (NPPF 2021) and that it contributes to sustainable development and conforms to any relevant EU legislation.

The steering group are to be commended on the considerable amount of work and the extent of consultation and community engagement that has gone into the production of their Plan.

These comments take into consideration the views of specialist officers within the Council who have been consulted at this Reg 16 stage.

Submission of the draft neighbourhood plan and Regulation 16 consultation

The submitted draft NDP includes a map of the neighbourhood area and was accompanied by a Basic Conditions Statement, Consultation Statement, and an evidence paper.

The NDP was submitted to Test Valley Borough Council on 1st December 2020 and as the lead local planning authority considered the submitted plan and was satisfied that it complies with all the relevant statutory requirements set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The draft NDP represents a considerable amount of work, involving many interests in the local community, and encompasses several issues, pulling them together in a coherent way. The plan has been prepared positively with a proactive attitude to achieving the desired outcomes of the parishes, and at the same time helping to address relevant matters identified for Wiltshire and the Southern Wiltshire Community Area, as set out in the Wiltshire Core Strategy.

The draft NDP includes policies that will give added protection and enhancement to environmental and cultural features within the parishes, in addition to protection already contained within local and national planning policy.

Policy Context

The policy context for West Dean in the draft NDP is as follows:

Development Plan:

- Wiltshire Core Strategy (WCS), adopted January 2015, including saved policies of the Salisbury District Local Plan (SDLP) in Appendix D of WCS
- Wiltshire Housing Sites Allocations Plan (WHSAP), adopted 25 Feb 2020.
- Wiltshire and Swindon Waste Core Strategy adopted July 2009
- Wiltshire Local Transport Plan 2011-2026

Other relevant policy:

- National Planning Policy Framework (NPPF) July 2021
- Planning Policy Guidance (PPG)
- Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019
- Adopted Creating Places Design Guidance SPG 2006

Neighbourhood plans must be in general conformity with the strategic policies of the Development Plan, which in this case for the West Dean neighbourhood area part of the draft NDP is provided by the Wiltshire Core Strategy (WCS), including saved policies of the Salisbury District Local Plan in Appendix D of the WCS. The Wiltshire Core Strategy (WCS) was formally adopted by Wiltshire Council on 20th January 2015 and provides a positive and flexible overarching planning policy framework for Wiltshire for the period up to 2026. The draft NDP has been prepared to be in accordance with this plan and is generally considered to be in conformity with the overall strategy set out in the WCS, with any exceptions highlighted below. The review of the Wiltshire Core Strategy (known as the Local Plan Review) is planning for the period to 2036 but is not yet at an advanced stage of preparation.

Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA)

The SEA screening has been undertaken on the draft NDP. An SEA Screening Opinion has been prepared by TVBC to inform the Neighbourhood Plan.

A Habitats Regulations Assessment has been screened in accordance with the provisions of the Habitats Regulations (dated 9th June 2021 and is attached). As the NDP area extends over two local planning authority (LPA) areas, there are two competent authorities in terms of obligations under the Habitats Regulations. Therefore, Test Valley Borough Council has prepared an HRA in respect of the

area of the NDP that falls within the borough of Test Valley (West Tytherley, Frenchmoor and Buckholt) and Wiltshire Council has prepared this HRA in respect of the area of the NDP that falls within the Wiltshire (West Dean).

Appropriate Assessment has been undertaken for Mottisfont Bats Special Area of Conservation, New Forest Special Protection Area and the Solent Region International Sites (SAC, SPA and Ramsar). The conclusions and recommendations are made under the Ecology section below.

General Response and Comments on the draft Neighbourhood Development Plan

NPPF 2019 has been superseded and updated by NPPF July 2021

Please could the Steering Group note the above.

Policy titles

The NP Steering Group may wish to consider revising the policy titles as they are more akin to policy objectives and some are very lengthy. The previous iteration of the NP took a more concise and possibly more logical approach to the policy titles.

Example of policy used in the draft NDP:

Policy EL4 Protect and enhance our distinctive landscape including open views within and out of the villages that contribute to a sense of place and community.

might be simply renamed as **Policy EL4: Landscape Protection and Enhancement**

Policy areas

Specialist officers of the Council have offered the following comments on the draft Neighbourhood Plan:

1. Spatial Policy

It is noted that some of the changes made to the draft plan at the Regulation 14 stage appear to reflect comments made at that time, namely:

- Changing the plan period
- More detail on the planning context in the Introduction
- More detail around the vision and objectives
- The presence of a consultation statement

However, some comments do not appear to have been taken forward and there does not seem to be any evidence of them being considered in the consultation statement, namely:

- Reference to a settlement boundary (West Dean is classified as a small village under Core Policy 1 of the Wiltshire Core Strategy and, therefore, does not have a settlement boundary)
- Lack of further detail on the monitoring of policies

In general, the following comments apply to the Regulation 16 draft plan:

- The Wiltshire Housing Site Allocations Plan has been adopted (February 2020) since the Regulation 14 stage
- Wiltshire Council's latest housing figures (as at April 2019) still show there is a residual indicative housing requirement of 0 dwellings to be delivered in the Southern Wiltshire CA over the WCS plan period

The Reg 14 responses from Wiltshire Council which do not appear to have been taken are:

- *Policies PD1, PD2 and PD3, in the Planning and development policies section, refer to 'the settlement boundary' and go onto to talk about development within the settlement boundary. However, West Dean is classified as a "Small Village" by the WCS and, as such, does not have a settlement boundary under Core Policy 1 Settlement Strategy. We strongly suggest revising these policies to reflect this because, as it stands, the draft neighbourhood plan is not in conformity with the Wiltshire Core Strategy on this matter.*
- *The draft neighbourhood plan states, at paragraph 8.3, that 'the Plan will be monitored by the Parish Councils on an annual basis, using the planning data collected by Test Valley Borough Council and Wiltshire Council and any other data collected and reported at a parish level relevant to the plan.' This is a little vague and lacking in detail. We would suggest being clearer about what planning data will be used to monitor the Plan and linking these to individual policies, where appropriate, to show how they will be monitored.*

2. Housing Supply and Affordable Homes

West Dean lies within the Southern Wiltshire Community Area for housing allocation purposes. Core Policy 23 of the WCS provides that over the plan period (2006 to 2026), approximately 615 new homes will be provided of which 190 should occur at Downton. About 425 homes will be provided in the rest of the Community Area.

The Wiltshire Housing Sites Allocations Plan (WHSAP), adopted 25 Feb 2020 does not propose any alterations to the West Dean settlement boundary or make any housing site allocations in the rural part of the South Wiltshire Community Area.

As at April 2019, the December 2020 Housing Land Supply Statement indicates that there is no indicative requirement for any further housing development in the remainder of the Southern Wiltshire Community Area (excluding sites within the principal settlement of Salisbury). The draft NDP does not allocate any new sites for housing development in West Dean and this is compliant with Core Policy 23 and the aims of the Development Plan.

The following are general comments regarding the draft NDP plan policies for affordable homes:

- i) Policy EL1

Policy EL1 states that

'... development proposals should ...

v. consider Rural Exception Sites in open countryside where there is a specific need'

This is **contrary to Core Policy 44 of the Wiltshire Core Strategy** which requires Rural Exception Sites to be 'within, adjoining or well related to the existing settlement.'

ii) Paragraph 5.3.3.

Paragraph 5.3.3 combines elements of Wiltshire Council's and Test Valley Borough Council's rural exception site policies in a single list, without making it clear which requirements relate to which local authority. Some requirements from Core Policy 44 of the Wiltshire Core Strategy are missing from this list (e.g. the requirement to be within, adjoining or well related to the existing settlement) and some requirements which are not relevant in Wiltshire are stated (e.g. the requirement to consider small business use).

It is a concern that trying to combine the requirements of two local planning authorities in this way will weaken the implementation of Core Policy 44 in West Dean. The NDP should make it clear that any application for a Rural Exception Site will be considered in accordance with the Rural Exception Site policy of the relevant local planning authority.

iii) Policy HD1

The header to Policy HD1 states that development in and adjacent to the villages should be community led. However the policy then goes on to describe community supported housing. The header to the policy should make it clear whether the policy relates only to development which is led by the community, or also relates to development which may be proposed (and subsequently led) by another organisation e.g. a Registered Provider of Affordable Housing, but which has the support of the community.

With respect to point (i) of HD1, it should be noted that Wiltshire Council's Allocations Policy does not make provision for households with a local connection to an adjacent parish to Wiltshire to bid for properties unless the housing need of that adjacent parish has been used to support the case for the development of affordable housing within the Wiltshire parish. If it is the intention of the NDP that households with a local connection to West Tytherley should be eligible to bid for properties on affordable housing developments within Wiltshire Council's area in West Dean, this should be clearly stated and the NDP should make it clear that in determining the need for Affordable Housing, planning applicants should take the Affordable Housing need of both villages into account.

3. Development Management and Transport & Movement - consideration of draft NDP policy interpretation for determination of planning applications

i) Policy IC1.

It may not be possible under the legislation to accept a condition which states that all contributions are used in this way, but this may be more of an issue for Test Valley Borough Council. It would be better if this policy reflected the NPPF wording and tests set out under para 57 ie:

Planning obligations must only be sought where they meet all of the following test²⁶:

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development*

²⁶ Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010

ii) Policy IC3

It is noted that the parking standards in Policy IC3 differ from Wiltshire Council's parking standards. The additional parking spaces required will have an impact on the number of housing units that could

be developed, for example, on a Rural Exceptions Site.

This policy also refers to avoidance of on street parking. Development cannot “avoid on street parking” as visitors/deliveries etc will all park on the road as they are entitled to do by law! It should say is that new development should meet on site parking standards in order to limit on street parking.

Whilst the aim of the policy is supported, there is no mandate or policy currently to enforce or insist upon the policy requirements and developers may well refuse to deliver.

At planning application stage, officers would normally request the consideration of EV charging units per dwelling of any significant new development.

iii) Policy IC5

The policy wording seems to suggest that there already is a current safety issue. Traffic calming is a broad area and it may be better to suggest “traffic management” in the text, as “calming” often suggest speed humps / cushions which are not the council’s preferred method.

Consideration is given to pedestrian safety and parking at the planning application stage and developers have to undertake a Transport Appraisal or Assessment. Both these documents consider the impact of extraneous traffic but any significant development would inevitably generate extra vehicles on the local network. It would be difficult to assess the impact on parking at these destinations as this would be a behavioural science regarding the residents’ decision to use their cars.

iv) Policy IC7

The wording of “development proposals within existing businesses” should be re-worded to be “within existing employment premises or commercial sites,” as planning permission runs with the land use and not the individual business or occupier. The reference under (v) to social distancing has already been superseded and this should be removed.

v) Policy CP1

Particularly for Wiltshire, which is no longer a County Council, this should be reworded as “the Highway Authority.”

vi) Policy HD2

The policy wording is supported. However, the “evidence” table at the end of the Plan for this policy mentions Core Policy CP1, when infill is Core Policy **CP2**.

	Community housing for young persons or the elderly. There are variances in need between the two villages because of differing issues affecting current mix, access, flooding risk and density.
HD2 Infill sites	<ul style="list-style-type: none"> ▪ TVBCLP COM 2 ▪ WCS Core Policy 1 ▪ Results and reports of community consultation undertaken during preparation of the NDP including the NDP survey 5e covering: Likes and Housing Location ▪ NDP WG (PD) Report ▪ Conservation Areas: Policy ▪ WDVDS: Policy ▪ Views expressed at Village events e.g. Fetes ▪ Regulation 14 consultation: TVBC comment and individual Parishioner comments (both settlements but different circumstances for each)
HD3	<ul style="list-style-type: none"> ▪ TVBCLP LE 16,17 and COM 11,12 ▪ WCS Core Policy 23

vii) Policy HD3

The wording for this policy and its title appears confused and unclear, by mixing residential use with business uses. Does the policy mean to refer to **ancillary residential uses** such as home working, home offices and businesses being run from the home? The term “business buildings” is likely to be confusing to applicants and may be misapplied to buildings for fully commercial business uses which are incompatible with residential areas.

<p>Policy HD3 Determine the Policy for the use of garden and adjacent land within an existing house boundary for the construction of additional dwelling or business buildings.</p> <p>Development proposals for new dwellings on sites that form part of an existing residential garden, or group of gardens, must:</p> <ol style="list-style-type: none"> Conserve and compliment the character of the surrounding area. Meet policy requirements for materials and design. Provide garden space around all buildings including any trees that are identified in Policy EL5 as appropriate to the area. Retain existing features such as trees, valued hedgerows and walls that are characteristic of the streetscape and the local area. Provide amenity space, vehicular access and onsite parking both for the new development and existing dwelling (s) on the site. (See also policy IC3). Ensure there is no adverse impact on the amenities of adjacent properties with overlooking, loss of privacy or overshadowing. Avoid over development or cramping in relation to adjoining properties. <p>Proposals to create separate unit accommodation for dependent persons or business use will be supported provided that:</p> <ol style="list-style-type: none"> The accommodation is created wholly or partly within the existing dwelling or is an extension to that building; The design and internal arrangement of the accommodation would allow it to be re-absorbed into the main dwelling when it is no longer required or The accommodation is created as a result of a conversion of an existing building within the curtilage of the main dwelling, and The applicant either enters into a legal agreement with the LPA or a condition is applied to the planning permission that the ancillary accommodation will not be let or sold separately from the main dwelling.

This raises a number of questions. How does HD2 (infill development) relate to HD3 (new dwellings in existing gardens) when proposals for new dwellings come forward? What happens if an applicant applies for a new dwelling in a secluded garden outside the settlement boundary under HD3, which does not comply with the infill development requirements of HD2 ie not a continuously developed road frontage. This could raise potential policy conflict within the draft NDP.

The policy part (v) appears to reflect the wording of the policy in WCS saved policy H33. However, the use of a Section 106 Agreement to tie the use to a main house within the countryside is no longer used and has been superseded by the use of conditions to tie ancillary accommodation to the main dwelling. This part of the policy should either be removed or re-worded.

Similarly to Policy HD2 above, the summary at the end of the draft NDP needs to mention Wiltshire Core Strategy **saved policy H33**:

	<p>regulation 14 consultation. The comments and material submitted in response to comments (both settlements but different circumstances for each)</p>
<p>HD3</p> <p>Replacement or additions to existing building/garden Including Heritage Assets</p>	<ul style="list-style-type: none"> ▪ TVBCLP LE 16,17 and COM 11,12 ▪ WCS Core Policy 23 ▪ Results and reports of community consultation undertaken during preparation of the NDP including the NDP survey covering: Dislikes: Garden grabbing and cramping ▪ NDP WG (PD) Report ▪ Designated Conservation Areas and WDVDS ▪ Views expressed at Village events e.g. Fetes ▪ Regulation 14 consultation:
<p>HD4</p>	<ul style="list-style-type: none"> ▪ The design of buildings and use of materials provide the local areas

viii) Policy HD4 (ii)

The wording of “reused tiles in A1 condition” is unacceptable and would not be enforceable if this requirement is breached by a development. “A1” is generally regarded as brand new condition, which is surely not what is required, as old tiles are reused for the weathered texture and visual appearance. We suggest deleting “in A1 condition.”

4. Ecology

Mottisfont Bats SAC

Due to there being no strategic allocations for the section of the NDP area that lies within Wiltshire, and no allocations proposed in the NDP, it is deemed likely that any forthcoming proposals for development would be relatively small-scale and would likely comprise windfall development or rural exceptions sites. Furthermore, on the basis that the recommendation set out below is incorporated within the NDP, it is considered possible to conclude, beyond reasonable scientific doubt, that the NDP would not lead to adverse effects on the integrity of the Mottisfont Bats SAC or its qualifying features, alone or in-combination with other plans and projects.

It is recommended that the dedicated bat conservation policy is supported by text explaining that the NDP area lies within the 7.5km consultation zone for Barbastelle bats associated with the Mottisfont Bats SAC and that applications for development will only be permitted by Wiltshire Council where it can be demonstrated that the proposals would not result in an adverse effect on the integrity of the SAC and would be compliant with the Habitats Regulations. It is suggested that explanatory text and the bat conservation policy is worded along the lines of the following:

“Explanatory Text

The NDP area holds high potential for all species of bats due to its rural nature with interconnected woodlands and hedgerows. Of particular note is the potential for the area to support Barbastelle bats. This rare species breeds in woodlands near Mottisfont which are protected through the designation of the Mottisfont Bats Special Area of Conservation. The bats make use of a much wider area around the designated site and could potentially be foraging and breeding at satellite sites in the NDP area. Consequently new development will need to demonstrate that it has taken bats and this species in particular into account, identifying whether these bats may be using the development site and if so, the measures that will be put in place to protect and enhance their habitat.

Bat Conservation Policy

Proposals for development shall be formulated with due regard to any relevant guidance such as the Bat Special Areas of Conservation (SAC) Planning Guidance for Wiltshire. Planning applications for development shall be supported by an appropriate level of ecological survey undertaken in accordance with best practice survey guidelines. This will establish the ecological baseline in respect of bats and thereby determine the need for, and inform the formulation of any avoidance, mitigation and where required as a last resort, compensation measures necessary as part of the project design, to ensure no adverse effect on the integrity of the Mottisfont Bats Special Area of Conservation (SAC) over the lifetime of the proposed development and to promote the conservation of bats generally.

The above information will be required to enable the planning authority to assess planning applications under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (or any subsequent amendments) and confirm there is no reasonable scientific doubt of any adverse effects to the SAC.”

New Forest SPA

In light of the Interim Recreation Mitigation Strategy and any subsequent reviews, Wiltshire Council is able to conclude there will be no adverse effect of residential and tourism development within the Wiltshire NDP area on the integrity of the New Forest SPA alone and in-combination with other plans and projects.

However, as a financial contribution will be required from some developments through S106, it is advised the NDP should provide some details in explanatory text to ensure developers are aware of the implications the New Forest SPA may have for their development. It is suggested that the following explanatory wording is included in the NDP:

“Explanatory Text

The New Forest Special Protection Area has been designated to protect certain bird species which occur frequently in the New Forest area but are otherwise rare or declining. Several of these species are however susceptible to recreational pressure. Consequently, the National Park Authority is working with authorities on its boundaries to address the impacts from walkers and dog walkers who arrive as day visitors and staying tourists. All development coming forward in the NDP area has the potential to increase the number of day visitors to the New Forest. Wiltshire Council and Test Valley Borough Council are therefore addressing this through their own recreation mitigation strategies. Residential and tourism developments will therefore be required to contribute to the relevant authority’s strategy through the Community Infrastructure Levy or Section 106 Agreement.”

Solent Region International Sites

The NDP does not allocate any sites for development and it is considered that policies EL1, EL2, EL8, HD1, HD2 and HD3 would not result in adverse effects upon the Solent region international sites, notably the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site, alone. This is because any development coming forward as supported by these policies would likely be small-scale development that would not generate significant effects alone. Nonetheless, on the advice of Natural England, it must be assumed that any new development which generates a net increase in nitrogen within the catchment of the River Test, could give rise to significant effects on the integrity of the Solent region international sites when considered in-combination with other plans and projects.

Provided the recommendation below is incorporated within the NDP and is adhered to at the planning application stage for any future proposals for development in the NDP area, it is considered possible to conclude, beyond reasonable scientific doubt, that the NDP would not lead to adverse effects on the integrity of the Solent region international sites, notably the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site, or their qualifying features, alone or in-combination with other plans and projects.

It is recommended that a dedicated policy and relevant supporting text is included within the West Dean and West Tytherley NDP to highlight that the NDP area lies within the River Test catchment and that mitigation will be essential to ensure compliance with the Habitats Regulations.

The recommended policy pertaining to the Solent regional international sites to be included within the NDP should make it clear that adherence with the policy will be essential. It may also be prudent for policies EL1, EL2, EL8, HD1, HD2 and HD3 to be amended to cross reference to the dedicated policy

and the need to comply with it, although this is not necessarily critical given that any development proposals should comply with all policies within the NDP in any regard.

Suggested explanatory text and policy wording to be incorporated within the NDP is as follows:

“(Title) Solent Region International Sites and Nitrogen

Explanatory Text

The whole of the NDP area lies within the catchment of the River Test which flows into the Solent where wildlife of marine, tidal and intertidal areas is protected by a number of international designations. Natural England has advised these designations are being adversely affected by the nutrients associated with sewage and agricultural runoff and that the restoration of these sites partly depends on ensuring new development does not generate any additional nutrient inputs. Natural England is placing particular emphasis on nitrogen as this is considered to have an overriding impact in these saltwater habitats. Hence all development proposals in the NDP area will need to demonstrate they are nitrogen neutral in accordance with Natural England guidance¹. Wiltshire Council and Test Valley Borough Council who will carry out the necessary assessment of developments under the Habitats Regulations, may require developers to demonstrate that Natural England has assessed and agreed their calculations and mitigation proposals prior to an application being submitted and/or determined. In due course strategic mitigation schemes may become available which enable developers to purchase nitrogen credits to the value of the increased nitrogen levels their developments are calculated to generate.

Policy

Applications for development that will result in a net increase in nitrogen reaching the Solent Region International Sites through e.g. additional units of overnight accommodation or increased intensity of farming, shall be accompanied by pre-development and post-development nitrogen budgets and shall be required to demonstrate nitrogen neutrality in accordance with the relevant guidelines where these are available. A detailed mitigation strategy shall also be submitted to the local planning authority demonstrating how nitrogen neutrality shall be achieved prior to first occupation of the development, and how it will be maintained throughout the lifetime of the development and beyond, where the potential for effects would extend beyond the operational phase of the development.”

5. Landscape

The draft NDP is a very comprehensive document that provides clear guidance for landscape elements, landscape character, the protection of dark skies and important views.

6. Leisure and Recreation

The plan references the NPPF and the collection of financial contributions (S106 and CIL) from developers and that these contributions should be identified and provided for local needs. The document references the need to consult residents/the community and also notes that any new development must not adversely affect, but enhance community infrastructure.

The plan references the importance of community facilities and promoting healthy and safe communities. It outlines the need to protect, sustain or enhance community facilities in both villages including recreation spaces, children’s play areas, playgrounds and village halls. Green space protection is also outlined as sitting within a separate Green Infrastructure Strategy.

¹ Nutrient calculator and Natural England guidance dated June 2020 available from [Natural England publishes 'nutrient calculator' and updated guidance on achieving nutrient neutral housing development - Partnership for South Hampshire \(push.gov.uk\)](#)

7. Heritage

Overall, the plan is well set out and clear in its objectives, refers to the relevant WCS policies and is to be commended. There is an interest in heritage and landscape character as set out in the 'History and Settlement' section (2.2) and in the 'Character' section (2.3). In addition, one of the key objectives of the plan is to 'Conserve and enhance the built and historic environment' and there are some detailed paragraphs concerning heritage and landscape in Section 5 of the Neighbourhood Plan. It was particularly pleasing to see that both designated and un-designated heritage assets were discussed – as there is a need to consider assets other than listed buildings and scheduled monuments.

It is also clear to see that a number of policies set out by the draft NDP are intended to address heritage matters – in particular policies EL1, EL2 and EL4 which is welcomed. These seem to be based on a Historic Environment Report – which forms the key evidence base for these areas.

However, the evidence base didn't seem to contain as much information from the Wiltshire and Swindon Historic Environment Record (HER) as might be expected. Nor is there any record of the Neighbourhood Planning Group having approached the Wiltshire Council Archaeology Service to obtain information from the HER. Whilst the evidence in the draft NDP is adequate, it would be good to see use/inclusion of the data held on the HER as this is best practice and the HER is the core evidence base for all heritage assets and historic landscape character in the county.

Having this data would make the plan more robust and it may have an impact on the location and nature of future development. This is because heritage assets can provide both a constraint and an opportunity for development. It is also noted that while there is good consideration of the present day landscape character there is little consideration of the historic landscape character – i.e. elements of past land use that have impacted on the character of the present day landscape and can still be discerned.

On this basis, it is recommended that the authors seek to obtain more information on heritage to supplement their plan. Information on Historic Landscape Character (HLC) can be requested from the Wiltshire Council Archaeology Service who produced a county-wide HLC dataset that is held as part of the Wiltshire and Swindon Historic Environment Record (HER). Similarly, the core HER has a wealth of data regarding archaeological heritage assets (both designated and undesignated) and this information would also be valuable.

The Historic Environment Record (HER) should be listed as an evidence base for the plan and the raw data could easily form part of the draft NDP appendices. In addition, some elements of the data may merit inclusion in the plan proper – with some alterations/updates included in the sections that discuss heritage and landscape. This wouldn't require a major re-write or shift in emphasis – just the inclusion of some information to reinforce that historic landscape character and heritage assets are material concerns and ones which offers opportunities in the forward planning of West Dean and West Tytherley.

Should the authors want to access the information from the Wiltshire and Swindon Historic Environment Record (HER) then they should contact the Wiltshire Council Archaeology Service at archaeology@wiltshire.gov.uk and our department would endeavour to provide enable this.

However, overall, officers could accept the draft NDP in its current form but do think some alterations in line with these suggestions would be beneficial.

With specific reference to Conservation, it is noted that the suggested changes to be made to the draft NDP at the Regulation 14 stage do not appear to have been taken forward. The suggested changes related to detailed wording of the policies and the text to provide greater clarity and accuracy.

8. Education

The draft NDP is supported. The Wiltshire side of West Dean is in the catchment area of West Tytherley Primary School and the plan references using Section 106 Agreements or Community Infrastructure Levy funds to provide additional school infrastructure if necessary.

9. Air Quality

The latest version of the NPPF now includes specific requirements for plug in vehicles and ULEV

infrastructure consideration by LPAs'. We now ask developers to provide ultra low energy vehicle infrastructure which can take the form of EV charging points although other technologies are also out there now.

We have succeeded in getting EV into various developments in Wiltshire and would like to see this and other alternatives promoted wherever possible, hence the opportunity that exists within Neighbourhood Plans.

10. Noise

Planning for noise control is an important part of any neighbourhood plan as the unintended consequences of development proposals often involve amenity impacts such as noise and also odour, vibration, smoke and fume.... Encouragement of development that is sympathetic to prevailing noise climates and receptors is something we would seek.

11. Community Led Housing Development

It is noted that the plan refers to community led development; should such a project come forward within the NDP area, it may be useful for the community to look at the resources and support available from Homes of Our Own, more details can be found here: - <http://homesofourown.co.uk/>

We would like to take the opportunity to advise that Wiltshire Council's Housing department is currently in the process of developing a strategy to deliver 1000 new affordable council houses across Wiltshire. Should the NDP Steering Group wish to discuss proposals for any sites in the future, we would be keen to see how we could potentially work together to deliver more affordable housing to meet the local need.

12. Climate Change

The draft NDP is broadly supportive of renewable energy, and some forms of renewable energy such as ground mounted solar installations are compatible with land that may flood as the electrical installations can be up to 3.5m high. Policy HD6 could be amended to include suitable renewable energy provision.

Wiltshire Council July 2021