

HANNINGTON NEIGHBOURHOOD PLAN 2018 - 2026

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

**Andrew Matheson MSc MPA DipTP MRTPI FCIH
Independent Examiner
24th May 2018**

Summary

I was appointed by Swindon Borough Council, in agreement with the Hannington Parish Council, in February 2018 to undertake the Independent Examination of the Hannington Neighbourhood Plan.

The Examination has been undertaken by written representations. I visited the Neighbourhood Area on 8th May 2018.

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

The Plan has been underpinned by extensive community support and engagement. The social, environmental and economic aspects of the issues identified have been brought together into a coherent plan which adds appropriate local detail to sit alongside the Swindon Borough Local Plan 2026.

Subject to a series of recommended modifications set out in this Report I have concluded that the Hannington 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 Hannington Neighbourhood Plan 2018-2026. The Plan was submitted to Swindon Borough Council by Hannington Parish Council in their capacity as the 'qualifying body' responsible for preparing the Neighbourhood Plan.

Neighbourhood Plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently incorporated within the National Planning Policy Framework (NPPF) in 2012 and this continues to be the principal element of national planning policy.

This report assesses whether the Hannington Neighbourhood Plan is legally compliant and meets the 'basic conditions' that such plans are required to meet. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text. This report also provides a recommendation as to whether the Hannington Neighbourhood Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Hannington Neighbourhood Plan would then be used in the process of determining 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, in agreement with the Hannington Parish Council, to conduct the examination of the Hannington Neighbourhood Plan and to report my findings. I am independent of both the Swindon Borough Council and the Hannington 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 Hannington Neighbourhood Plan is submitted to a referendum; or
- the Hannington Neighbourhood Plan should proceed to referendum as modified (based on my recommendations); or
- the Hannington Neighbourhood Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. If recommending that the Neighbourhood Plan should go forward to referendum, I must then consider whether or not the referendum area should extend beyond the Neighbourhood Area to which the Plan relates.

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

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

- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 Act (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

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

In undertaking this examination I have considered the following documents:

- Hannington Neighbourhood Plan as submitted with supporting Appendices
- Hannington Neighbourhood Plan Conditions Statement (December 2017)
- Hannington Neighbourhood Plan Statement of Community Involvement (November 2017)
- Hannington Neighbourhood Plan Public Consultation Review 24th October 2017 and 14th November 2017
- Hannington Neighbourhood Plan Strategic Environmental Assessment and Habitats Regulations Assessment Screening Opinion (September 2015 reviewed December 2017)
- Content at <http://www.hanningtonvillage.co.uk/neighbourhood-plan/>
- Representations made to the Regulation 16 public consultation on the Hannington Neighbourhood Plan
- Swindon Borough Local Plan 2026
- Swindon Borough Supplementary Planning Documents (SPDs)
- Hannington Conservation Area Appraisal and Management Plan 2009
- National Planning Policy Framework (NPPF) (March 2012)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (PPG) (March 2014 and subsequent updates)

I carried out an unaccompanied visit to the Plan area on 8th May 2018. I looked at Hannington, Hannington Wick, Swanborough and their rural hinterland. I also viewed the character of the Hannington Conservation Area and all the various sites and locations identified in the Plan document.

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

Hannington Neighbourhood Development Area

A map showing the boundary of the Hannington Neighbourhood Area was provided to accompany the Neighbourhood Plan. Further to an application made by Hannington Parish Council, Swindon Borough Council approved the designation of the Neighbourhood Area on 16th March 2015. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Plan under section 61G(1) of the Town and Country Planning Act 1990 (as amended).

Consultation

In accordance with the Neighbourhood Planning (General) Regulations 2012, the qualifying body has prepared a Statement of Community Involvement (with a related 'Public Consultation Review 24th October 2017 and 14th November 2017') to accompany the Plan. To progress the work related to the preparation of the Plan the Parish Council as the Qualifying Body appointed a Planning Steering Group.

The relevant Planning Practice Guidance says:

"A qualifying body should be inclusive and open in the preparation of its neighbourhood plan [or Order] and ensure that the wider community:

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

I can see that an inclusive approach to community engagement and a range of formal and informal approaches and media has been used to invite and obtain participation. In November 2013 all the residents of the Parish were invited via a questionnaire to participate in the collation of issues to be addressed in the Neighbourhood Plan. A live draft Plan was subsequently published in July 2014. A leaflet drop to every household invited comment on the draft document and set out several routes for input via the Parish website, Facebook and Twitter; however, at that stage only one amendment was suggested. The use of social media was recognised as important for a large Parish with a relatively small population. Following a meeting with Officers from Swindon Borough Council some reformatting was undertaken to ensure that the draft documents could meet the legal requirements of a Neighbourhood Plan. After numerous redrafts to reflect consultation input the Plan was put to the formal Regulation 14 public consultation between 5th September and 17th October 2017. The Steering Group meetings in late October and early November 2017 to discuss the consultation feedback were widely publicised and well attended. The outcomes are recorded in a supplement to the Consultation Statement titled "Neighbourhood Plan Public Consultation Review 24th October and 14th November 2017.

Overall, the degree of commitment by all participants in the Hannington Neighbourhood Plan 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). It is never likely that a shared vision will be reached with unanimity; a representation helpfully notes that "discussions were lively, even at some points contentious. I found the process to be thorough, open and inclusive". From all the evidence provided to me for the Examination, I can see that an extensive and comprehensive approach has been taken to informing the community and 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 Hannington Neighbourhood Plan. I cannot identify any exclusions from any surveys or public events and the submitted Consultation Statement indicates extensive, generally constructive participation. I am therefore satisfied that the consultation process accords with the requirements of the Regulations and that, in having regard to national policy and guidance, the Basic Conditions have been met. In reaching my own conclusions about the specifics of the content of the Plan I will later note points of agreement or disagreement with Regulation 16 representations, just as the Qualifying Body has already done for earlier consultations. That does not imply or suggest that consultation has been inadequate, merely that a test against the Basic Conditions is being applied. One particularly thorough representation

raised a number of points which are reflected in the detailed examination of the Plan content that follows.

Representations Received

Consultation on the submitted Plan, in accordance with Neighbourhood Planning Regulation 16, was undertaken by Swindon Borough Council from Thursday 18th January 2018 to Thursday 1st March 2018. I have been passed representations – 11 in total - received from the following:

- Environment Agency
- Highways England
- Historic England
- Natural England
- Ministry of Defence (RAF Fairford)
- Savills on behalf of Thames Water Utilities Ltd
- Philip Sapwell
- Guillaume Molhant Proost
- Miles Bozeat
- Gary Llewellyn Town & Country Planning Services (2 documents)
- Swindon Borough Council (2 documents)

The Neighbourhood Plan

The Hannington Parish Council is to be congratulated on its extensive efforts to produce a Neighbourhood Plan for their area that will guide development activity over the period to 2026. I can see that a sustained effort has been put into the dialogue with the local community to arrive at actions and policies that aim to “set out how Hannington Parish can develop in a sustainable way, whilst meeting the desires and aspirations of local Parish residents”. The Plan document is simply presented with a combination of text, illustrations and Policy pages that are, subject to the specific points that I make below, well laid out and themed helpfully for the reader. The Plan has been kept to a manageable length by not overextending the potential subject matter and the coverage of that.

The wording of content & Policies is not always as well-expressed as one might wish, but that is not uncommon in a community-prepared planning document and something that can readily be addressed. It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of Policy, it is part of my role wherever possible to see that the community's intent is sustained in an appropriately modified wording for the policy. It is evident that the community has made positive use of “direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area” (PPG Reference ID: 41-001-20140306). It is evident that the Qualifying Body understands and has addressed the requirement for sustainable development.

A representation suggests that I should be examining version 26 of the Neighbourhood Plan document rather than the version 30 document as submitted to Swindon Borough Council by the Qualifying Body and as subsequently the subject of a Regulation 16 consultation. However, I have been engaged to Examine the submitted document alone and, although I will take an interest in supporting documents and the origins of the Plan through public consultation, it will only be the submitted Plan (version 30) on which I will comment.

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

However, in the writing up of the work into the Plan document, it is often the case that the phraseology is imprecise, not helpful, or it falls short in justifying aspects of the selected policy. Further, the NPPF expectation that the Plan should “plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan” (NPPF para 16) is not always evident. Accordingly I have been obliged to recommend modifications so as to ensure both clarity and meeting of the ‘Basic Conditions’. In particular, Plan policies as submitted may not meet the obligation to “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). I bring these particular references to the fore because they will be evident as I examine the policies individually and consider whether they meet or can meet the ‘Basic Conditions’.

Basic Conditions

The Independent Examiner is required to consider whether a neighbourhood plan meets the “Basic Conditions”, as set out in law following the Localism Act 2011. In 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.

The submitted Conditions Statement has very helpfully set out to address the issues in the same order as above and, where appropriate, has tabulated the relationship between the policy content of the Plan and its higher tier equivalents.

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

The Plan in Detail

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

Plan Presentation

As a document on the verge of becoming a part of the Development Plan, the Neighbourhood Plan needs to lose some of the trappings of its development. It is Hannington Parish Council as the Qualifying Body that has submitted the Plan, not its appointed Steering Group. The version history has probably served its purpose very well but is no longer relevant now that the submission version has been reached. From my experience of referencing content for the purposes of this Report I believe it would be helpful if the sections set out in the Table of Contents were numbered (and this numbering with titles carried across consistently into the body of the document) so that Planning Officer Reports, and Planning Decision Notices, can easily reference content.

I note an inconsistent use of capital letters throughout the document eg “the [Hannington] Neighbourhood plan” where both words should be capitalised, and “Neighbourhood planning” where neither word need be capitalised. I suggest that a single editor should re-check the document for a consistent approach throughout.

Recommendation 1:

1.1 On the front cover reduce the content to ‘Hannington Parish Neighbourhood Plan’ and a date for the document: ‘December 2017’ (but see also Recommendation 2 below).

1.2 Remove the listing of versions.

1.3 Add numbers to each section listed in the “Table of Contents” (excluding the Appendices) both on the Contents Page and within the body of the Plan.

1.4 Re-check the whole of the final document for consistency in capitalising words.

Front cover

A neighbourhood plan must specify the period during which it is to have effect. I note that there is no reference to the Plan period on the front cover and this should be added.

Recommendation 2:

Add the Plan period to the front cover thus: 'Hannington Neighbourhood Plan 2018 – 2026'.

1. Introduction and Purpose

As the Plan is not prepared by a Neighbourhood Forum and it does not propose to use a Neighbourhood Development Order all references to these can be removed from the Introduction (I note that this approach has already been adopted within the listing of the Basic Conditions). The wording here must accurately reflect the legal framework within which Neighbourhood Plans sit.

Recommendation 3:

Under the heading "The Neighbourhood Plan – Introduction and Purpose" amend/correct the following:

3.1 Delete paragraphs 2, 3 & 5.

3.2 Remove the reference to "Neighbourhood Forums" in paragraph 4, and references to "or orders" in the first sentence of paragraph 7, and the whole of the second sentence of paragraph 7.

3.3 In paragraph 9 replace "nominated" with 'appointed'.

3.4 In paragraph 11 replace "strategic" with 'planning' and remove "and village design statements" and "and desires" since neither of these is part of the statutory planning system.

2. Hannington Parish – A brief history and overview

In this section there seems little purpose in naming the individual listed building since these cannot be identified on the related map (and their number does not appear to match with the total of 17). In contrast there is no mention in the text of the Hannington Conservation Area although this has two maps relating to it, one of which seems to have become detached from the text. Similarly there is no mention in the text of the "Settlement Boundary" although this is identified in Map1.

Recommendation 4:

Under the heading "Hannington Parish – A brief history and overview":

4.1 Delete paragraph 6 (list of listed buildings) and replace with:

'There are 17 Grade 2 Listed Buildings across Hannington Parish. Hannington Village and its setting was designated a Conservation Area in 1979, redesignated in 1990 and an 'Appraisal and Management Plan' was adopted by Swindon Borough Council in February 2009 (see Map1).'

4.2 Add after paragraph 8: 'The Swindon Borough Local Plan 2026 identifies a 'Rural Settlement Boundary' for Hannington Village (see Map2) within which development will be concentrated in accordance with Local Plan Policy SD2.'

4.3 Relocate the two maps to immediately follow the text and retitle the renumber and retitle the maps as follows:

'Map1 – Hannington Conservation Area

Map2 – Hannington Rural Settlement Boundary'.

3. Hannington Neighbourhood Area

It is correct that the Plan should identify the designated Neighbourhood Area (and this is the title that the Plan should use) but most of the rest of the content in this section is not appropriate. However, Swindon Borough Council advises that the Neighbourhood Area was designated on 16th March 2015 and so the date in paragraph 1 needs to be corrected.

Recommendation 5:

Under the heading “Hannington Neighbourhood Area”:

5.1 In paragraph 1 correct the designation date to 16th March 2015; including the Council Decision Notice as Appendix A is not appropriate, it is sufficient for this to be referenced within the Basic Conditions Statement.

5.2 Delete paragraphs 2, 3 & 4.

5.3 Renumber and retitle the map of the Hannington Neighbourhood Area as: ‘Map3 – Hannington Neighbourhood Area’.

4. Hannington Neighbourhood Plan – Vision Statement

I am not sure how any/every proposed development can “demonstrate within its design its support for the ambitions of the Parish”, and I cannot see either that the particular leisure ambition is evident throughout the Policies that follow. Therefore I believe that paragraph 2 should be deleted.

Recommendation 6:

Under the heading “Hannington Neighbourhood Plan – Vision Statement” delete paragraph 2.

5. Plan Evidence and Justification

Whilst I can appreciate that community consultation has produced some evidence in justification for the Plan, it should not be implied that the consultation is the sole basis on which Policies can be developed. Accordingly, the section title needs adjustment and the content here can be made more pertinent.

Recommendation 7:

Under the heading “Plan Evidence and Justification”:

7.1 Amend the title to ‘Plan Origins and Justification’.

7.2 Amend paragraph 1 to:

‘The Neighbourhood Plan objectives that are the bases for the Plan Policies derive from the original Parish questionnaire (the process is set out in fuller detail in the ‘Statement of Community Involvement’ that accompanies the Plan).’

7.3 Delete paragraphs 2 & 3.

7.4 Add a second sentence to paragraph 4 as follows:

‘As a result of these efforts 38% of the questionnaires were returned for analysis.’

7.5 Add an additional paragraph after paragraph 5 as follows:

‘After much drafting and redrafting the draft Plan document was the subject of a Regulation 14 public consultation between October and November 2017 (fuller details are provided within the Consultation Statement companion document ‘Public Consultation Review 24th October 2017 and 14th November 2017’).’

6. Residential Development and Non-Residential Development Objectives and Policies

Policy HPRD1 Development Principles

I feel that the core principle as suggested in the objectives is that new development should normally be located within the Rural Settlement Boundary – in accordance with Local Plan Policy SD2 - and this is therefore worth stating in the Policy rather than addressing “proposals to be sited outside of the current Settlement Area” as if those will be the norm. A representation notes that the correct term, from Local Plan Policy SD2, is “Rural Settlement Boundary”. Further, in line with the NPPF expectation (para 16), a positively phrased Policy can match the heading of the Policy by setting down the Principles to be followed – largely to be derived from the application of the Local Plan Policies - rather than concentrating on selected hurdles to be jumped. The use of an “unequivocal” test is problematic since the Policies to which a commitment is being sought are written in necessarily equivocal terms. A representation summarises that “Hannington has a special historic and landscape character, being a tranquil rural village much of which is within a Conservation Area, meaning that any development must be carefully controlled and only permitted in the right circumstances”.

With the granting in 2018 of a planning consent for the development at Manor Farm (Application no: S/17/1114) the context for the Neighbourhood Plan has shifted significantly. Most materially the Plan’s assessed requirement for post-2011 additional housing will have been met and possibly exceeded once the development is implemented. This position ought to be established at the outset so that prospective developers are not misled.

Recommendation 8:

Rewrite Policy HPRD1 as follows:

‘Hannington, as a rural village that lacks accessibility and a suitable range of facilities, is not a priority for growth as identified in the Swindon Borough Local Plan 2026 Policy SD2.

a) However the Plan identifies that within its Rural Settlement Boundary the village should accommodate a share of the development expected across all the rural villages that is “proportional to [its] size and function” and primarily that is a share of (at least) the 100 dwellings for “Other Villages” as stipulated in Local Plan Policy LN1.

b) The Hannington Conservation Area extends outside of the Rural Settlement Boundary to include the immediate, countryside setting of the village recognising that the village has “a tranquil atmosphere and a high environmental quality” to be conserved (Hannington Conservation Area Appraisal and Management Plan, 2009).

c) The Local Plan Policy SD2 further indicates that development outside of the Rural Settlement Boundary in rural and countryside locations will be permitted where:

- local needs have been identified and allocated through a Neighbourhood Plan; and/or*
- it supports the expansion of tourist and visitor facilities in appropriate locations; or*
- it is in accordance with other Policies within the Local Plan permitting specific development in the countryside.*

d) This Neighbourhood Plan does not identify or allocate for local needs beyond those already addressed since 2011 through completed dwellings or development with a planning consent; these are assessed as fulfilling the proportional growth set out in the Swindon Borough Local Plan 2026.

e) In the event that Swindon Borough Local Plan growth requirement for rural villages is varied or the consented developments are not implemented then further development proposals should be in accordance with Local Plan (in particular Policy SD2 as identified at i

and iii above) and have appropriate regard for the Hannington Conservation Area and for the other related Policies in this Plan.'

As reworded Policy HPRD1 meets the Basic Conditions.

Policy HPRD1 Supporting Information

In line with the expanded Policy the supporting information ought to be expanded also and this should include bringing forward some of the content presently related to Plan Policy HPRD7.

Recommendation 9:

In the Supporting Information for Policy HPRD1:

9.1 Add an opening paragraph as follows: 'The Swindon Borough Local Plan 2026 identifies Hannington as a rural village for which it defines a Rural Settlement Boundary. Local Plan Policy SD2 sets down the strategic bases upon which growth to 2026 will be accommodated; growth in rural villages will be concentrated within the Rural Settlement Boundary.'

9.2 Reword the existing opening paragraph as follows: 'Local Plan Policy SD2 says that developments proposed to be sited outside the rural settlement boundary will be permitted only if they fulfil specific, limited functions and therefore any such proposals will be the subject of appropriately rigorous scrutiny.'

9.3 Take in from the Supporting Information for Policy HPRD7 the paragraphs commencing "Clarification was sought....." (page 19) through to the paragraph ending ".....over the Plan period is 3" (page 20). After this add the following: 'At the time of submission of this Plan, since the commencement of the Local Plan period in 2011 one additional dwelling had been completed, two dwellings had a planning consent and an application had been submitted for 8 dwellings; the latter application was approved in January 2018 (subject to conditions). Therefore, subject to build-out of the consented developments, the "proportional" growth expected of Hannington will have been achieved and exceeded; consultation for the Plan acknowledged that this modest additional growth should assist in meeting the housing needs of the Parish in terms of a greater mix of housing, particularly for the older and younger generations.'

Policy HPRD2 Design and Amenity

This Policy has a clear intent but could benefit from less repetition and, across the Policy and Supporting Information, a consistent use of wording. A representation notes that the wording is "over-complicated and should be simplified". As I will further explain under Policy HPRD5, I believe it is more appropriate and more readily understood that the contribution of sustainable design is included within this Policy heading. As I will note later, I believe that the Character Assessment and Design Statement document needs a consistent title throughout and 'Hannington Character Assessment and Design Statement' is the most helpful title.

Recommendation 10:

In Policy HPRD2:

10.1 Reword the opening sentence as follows:

'Development proposals, both residential and non-residential, will adhere to the guidance in the Hannington Character Assessment and Design Statement and the Hannington Conservation Area Appraisal and Management Plan.'

10.2 From section (a) replace everything after the comma (ie commencing "they should be...") with 'and'.

10.3 In section (b) replace "and/or" with 'and'; delete "the local character of the area and in particular"; add at the end 'and the Swindon Design Guide 2009'.

10.4 Add '(c) Whilst preserving the character of the area, development proposals should demonstrate the application of the principles of sustainable design'.

As partly reworded Policy HPRD2 meets the Basic Conditions.

Supporting Information for Policy HPRD2

The positive “guidelines” of the Policy confusingly become “constraints” within the Supporting Information. There is no value in repeating content from the Design Statement in the Supporting Information, not least because the Statement may be reviewed more frequently than the Plan itself.

Recommendation 11:

In the Supporting Information for Policy HPRD2:

11.1 Delete the first paragraph and the bullet point list.

11.2 Reword the final (and now remaining) paragraph as follows: ‘The Hannington Character Assessment and Design Statement document contains guidelines and detailed character area backgrounds for Policy HPRD2.’

HPRD3 Residential Garden Development

This Policy relates to a particular type of development proposal only and since *all* development proposals are obliged to have regard to Policy HPRD2 there is no value in repeating parts of the content of that Policy here. The capitalised references to the Hannington Planning Steering Group are also inappropriate as the Plan documents are submitted by the Qualifying Body.

The Policy intent has support within the NPPF (para 53) and more nuanced support within the Swindon Borough Local Plan. A representation notes that the Swindon Residential Design Guide provides specific advice on backland development which says: “In some cases backland development will be granted permission because it makes efficient use of land and causes no significant harm, because it is well planned, designed and integrated and provides needed dwellings” However, it is evident that the character of Hannington and its Conservation Area relies in part on the low density of housing and their green settings. The representation notes two areas where backland development has occurred on land previously occupied by disused agricultural buildings. Such redevelopment is supported in Policy HPRD6 (see later for amendment to HPRD5) and so this possibility must be allowed for in the Policy.

Recommendation 12:

In Policy HPRD3:

12.1 Delete sections (a), (c), (e) & (g); renumber the remaining sections accordingly.

12.2 Reword section (b) as follows: ‘The new dwellings are not ‘backland’ or ‘tandem’ development, as defined in the Swindon Borough Residential Design Guide SPD, unless they fall within the ambit of Policy HPRD5; and’

12.3 Reword section (d) as follows: ‘The siting and design of the dwellings are in keeping with the street scene and, where appropriate, the character of the Conservation Area; and’

12.4 Partly reword section (f) as follows: ‘Safe access and egress to the existing (if altered) and proposed dwelling is achieved in accordance with.....’

As amended Policy HPRD3 meets the Basic Conditions.

Supporting Information for Policy HPRD3

As noted above, some of the wording here is inappropriate for a Plan that will be part of the Development Plan.

Recommendation 13:

In the Supporting Information for Policy HPRD3:

13.1 Delete the second sentence (which is included in brackets).

13.2 Remove “HANNINGTON PLANNING STEERING GROUP” from the third sentence.

13.3 Replace the fourth sentence (now included as an authoritative reference in the Policy) with: ‘ For Hannington village the Conservation Area Appraisal and Management Plan notes as a feature that “The settlement’s haphazard layout results in a high proportion of open space and there are generally wide spaces between buildings and, unusually, roadside open space”.’

Policy HPRD4 Sub-division of Dwellings

Refashioning this Policy as positive guidance will reduce the amount of unhelpful repetition.

Recommendation 14:

Reword Policy HPRD4 as follows:

‘Proposals for the sub-division of existing dwellings must consider, assess and address, within the terms of the Swindon Borough Local Plan Policy HA4 and the Residential Design Guide SPD, their impact on:

- a) the character and street scene of their setting including, where appropriate, the Conservation Area; and*
- b) the amenity of the adjacent properties; and*
- c) the adequacy of the access, parking and garden space for the dwellings as proposed.’*

As reworded Policy HPRD4 meets the Basic Conditions.

Supporting Information for Policy HPRD4

This Policy relates to the sub-division of dwellings not the creation of a new detached dwelling and therefore the support wording must consistent with this. A representation suggests that it is too onerous to expect “green space” on every side of a created dwelling, especially if that is impossible because that is not a feature of the existing dwelling – and I would add where that is not needed eg with a new granny flat.

Recommendation 15:

Replace the Supporting Information with:

‘Although the sub-division of dwellings will not of itself reduce the surrounding amenity space, the related provision for access, parking and plot sub-division may reduce the valued open, green space about the buildings which, particularly within the Hannington Conservation Area, will be a vital consideration.’

Policy HPRD5 Standards of Development

Parts of the Swindon Borough Local Plan have been overtaken by events. The Ministerial Statement of March 2015 was clear that “local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, 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 Homes to be achieved by new development”. The best that this Policy can achieve therefore, in keeping with Local Plan Policy DE1, is that ‘development proposals should address the objectives of sustainable development through high quality design and place-making principles’. Accordingly I believe that such a provision would most appropriately and most readily

understood if incorporated within Policy HPRD2 (as I suggested at the related point in this Report).

Recommendation 16:

Delete Policy HPRD5 (the relevant content having been picked up at Policy HPRD2) and renumber the subsequent policies accordingly.

Policy HPRD6 Development on existing or previously developed sites

Although the first impression is that this Policy supports the NPPF Core Principle of the effective use of land, the actual wording gives rise to a number of issues. Firstly the use of garden land covered in Policy HPRD3 would appear to overlap, particularly since the phrase “within its curtilage” has been included. Secondly the requirement, without any supporting evidence, that any proposal “retains its existing use (within the planning use class orders) and number of dwellings/establishments” could conflict with permitted development rights that, for instance, allow the reuse of an agricultural building for one or more dwellings but also creates an overlap with Policy HPRD4. Thirdly, it is difficult to see how a proposal might address all three stated Parish “needs” together (particularly in the absence of use changes) and how employment or recreation needs might be addressed when these are not declared. Fourthly, the Supporting Information relates to the reuse of “previously developed land” whereas the Policy uses “sites” in place of “land” and additionally relates to “existing” developed sites.

Given the stated objectives here and the reference in Policy HPRD7 to the preference for the reuse of land before the allocation of new land for development I believe that the core of the Policy is about the sympathetic reuse of land. A representation objects to the inclusion of consideration of the impact on local infrastructure, and I agree that it is difficult to see why any harm might be occasioned, but I see no reason to exclude this practical consideration.

Recommendation 17:

Renumber and retitle Policy HPRD6 as ‘HPRD5 Redevelopment of Land’ and reword the Policy as follows:

‘The sympathetic redevelopment of buildings (with their curtilages) and previously developed land will be supported, where a planning consent is required, provided that in so doing:

- a) the objectives of the Neighbourhood Plan are being addressed; and*
- b) integration of the redevelopment within its setting, whether village or countryside, is achieved; and*
- c) no significant harm is effected to the local infrastructure (including but not exclusively power, water, sewerage, telecoms and roads).’*

As reworded the renumbered Policy HPRD5 meets the Basic Conditions.

Supporting Information for the renumbered Policy HPRD5

Since the supporting information is a quotation from the Glossary to the NPPF the reference ought to be more explicit.

Recommendation 18:

In the Supporting Information for Policy HPRD6 add immediately after “NPPF” the following: ‘(Annex 2: Glossary)’.

Policy HPRD7 Housing Supply

Since the housing numbers shown here are already on course to being delivered, either through completed construction or current planning consents, the purpose of this section needs to shift. I have already indicated the revised context in a reworded Policy HPRD1. Since no evidenced context for the size restriction on sites has been provided the Policy can only be indicative of the size of sites with associated reasoning. The Hannington Character

Assessment and Design Statement referenced in bullet point 4 has already been the subject of Policy HPRD2.

Recommendation 19:

Renumber and reword Policy HPRD7 as follows:

'HPRD6 Housing Supply

The housing requirement up to 2026 for Hannington village having already been met (through new construction and new planning consents), no requirement for further sites is identified in this Plan. Should the need arise for additional housing to meet identified needs then:

- a) in accordance with Swindon Borough Local Plan 2026 sites should be located within the Rural Settlement Boundary and be proportional to the size and form of the village; and*
- b) proposed developments should, wherever possible, respond to the latest assessment of housing needs in the Hannington Parish; current needs identified through the Plan preparation are for smaller dwellings for first time buyers, for those wishing to downsize and for older persons; and*
- c) in order to effect sympathetic integration within the existing village and retain the character of the Conservation Area, sites will normally be of a size to accommodate between one and three dwellings.'*

As reworded the renumbered Policy HPRD6 meets the Basic Conditions.

Supporting Information for the renumbered Policy HPRD6

Much of the supporting material is no longer relevant for the reworded Policy or has been moved to support Policy HPRD1.

Recommendation 20:

In the Supporting Information for the renumbered Policy HPRD6:

20.1 Delete the content related to Plot Ratios (on page 19) since the suggested value of this tool is established only in the abstract but without a reality check for application in Hannington; the Conservation Area Appraisal and Management Plan notes the value of the "settlement's haphazard layout".

20.2 Delete the content related to the housing requirement (on pages 19 & 20) since this has been relocated under Policy HPRD1.

20.3 Retain the paragraph relating to meeting the needs of Hannington Parish (on page 20) reworded as follows: 'If additional sites for housing are required then these must respect the character of the village and its Conservation Area and should assist in meeting the housing needs of Hannington Parish which were identified through consultation as a greater mix of housing, including in particular for the older and younger generations.'

Flooding Objectives and Policies

Policy HPF1 Flood Prevention

Whilst this Policy adds nothing to the national and local policies the Qualifying Body has indicated their wish to draw attention to the matter through the Neighbourhood Plan; accordingly only a minor amendment is proposed for clarity.

Recommendation 21:

In Policy HPF1 replace "Flood Plain of" with 'Thames flood plain at'.

As partly reworded Policy HPF1 meets the Basic Conditions.

Supporting Information for Policy HPF1

A representation on behalf of Thames Water has requested the inclusion of a few words that might be incorporated here.

Recommendation 22:

In the Supporting Information for Policy HPF1:

22.1 Delete the second sentence of paragraph 2.

22.2 Add to paragraph 2 as follows: 'Thames Water advise that it is the responsibility of the developer to make proper provision for surface water drainage and surface water must not be allowed to drain to the foul sewer as this is the major contributor to sewer flooding.'

Policy HPCA1 Protection of Historic or Heritage Assets

The Policy wording here is an inaccurate representation of Local Plan Policy EN10, the very Policy to which it must show general conformity. Across parts (a) & (b) there are three, largely repetitive references to the same Local Plan Policy which is available to anyone to read for themselves; it is unhelpful to practical decision making. However, the Qualifying Body has urged me to bear in mind that the topic of the heritage in the Parish was identified through the consultation as of great local importance. Accordingly a briefer but more nuanced wording is recommended.

Recommendation 23:

23.1 Amend the title of Policy HPCA1 to 'Protection of Heritage Assets'.

23.2 Reword Policy HPCA1 as follows:

'In line with Swindon Borough Local Plan 2026 Policy EN10 development proposals that will affect designated or non-designated heritage assets shall conserve and, where appropriate, enhance their significance and setting.'

As reworded Policy HPCA1 meets the Basic Conditions.

Supporting Information for Policy HPCA1

To bring the text in line with the Policy without unnecessary repetition the word "designated" should be removed, since the Policy relates to both designated and non-designated Heritage Assets.

Recommendation 24:

In the Supporting Information for Policy HPCA1 delete the word "designated" in the first line.

Policy HPCA2 Protection of the Conservation Area

As was the case with Policy HPCA1, the wording here misrepresents the related Local Plan Policy (and further, that related Policy is misquoted in the Supporting Information). The Policy should not imply that every development proposal across the Parish must address the Conservation Area. A representation suggests that the intent of this Policy could be incorporated within Policy HPCA1. Whilst it is evident that the community consultation showed strong support for the protection of the Conservation Area, the Policy must have the appropriate regard for higher level policy.

Recommendation 25:

Reword Policy HPCA2 as follows:

'Development proposals within or that would affect the setting of the Hannington Conservation Area shall demonstrate regard for the Hannington Conservation Area Appraisal and Management Plan (2009) and, in line with Swindon Borough Local Plan 2026

Policy EN10, will conserve those elements which contribute to its special character and appearance.'

As reworded Policy HPCA2 meets the Basic Conditions.

Supporting Information for Policy HPCA2

To bring the text in line with the Policy without unnecessary or incorrect repetition of content elsewhere the Supporting Information should be reduced. A representation notes that the quote referenced as being from Local Plan Policy EN10 is not to be found in that Policy.

Recommendation 26:

In the Supporting Information for Policy HPCA2 delete all except the first sentence of paragraph 2 beginning "The community supports....".

Policy HPOC1 Bridleways and Footpaths

By paraphrasing the Local Plan Policy subsequently quoted in the Supporting Information there is the potential to mislead; the Local Plan Policy TR2d is not limited to the open countryside and few if any proposals will amount to "development...of the existing footpaths and bridleways".

Recommendation 27:

Reword Policy HPOC1 as follows:

'Development proposals that adversely affect the existing footpaths and bridleways around the Parish will be resisted in line with Swindon Borough Local Plan 2026 Policy TR2d.'

As reworded Policy ENV2 meets the Basic Conditions.

Supporting Information for Policy HPOC1

There is a typographical error with the reference to the Local Plan Policy.

Recommendation 28:

In the Supporting Information for Policy HPOC1, second line, replace "Policy TR2)" with 'Policy TR2d'.

HPOC2 Open Countryside and Rural Character

This Policy wording lacks a positive focus and a significant part of its content has already been addressed in earlier policies. Policy HPOC5 appears to be the more positive side of the same coin as Policy HPOC2; this view appears to have further endorsement in the Supporting Information to Policy HPOC2 which notes the relationship with Local Plan Policy EN5 on Landscape Character and Historical Landscape. I believe nothing would be lost and clarity would be gained if Policies HPOC2 & HPOC5 were combined.

Recommendation 29:

29.1 In line with the Swindon Borough Local Plan 2026 it will be sufficient to refer to the "Countryside" (ie the area outside the Rural Settlement Boundary) rather than the "Open Countryside" in the title for Policy HPOC2.

29.2 Delete HPOC2 paragraph (a) since the wording is an almost exact copy of Policy HPRD2.

29.3 Merge the remaining part of Policy HPOC2 with the core concern of Policy HPOC5 as follows:

'In line with Swindon Borough Local Plan 2026 Policy SD2 development proposals in the countryside will be restricted to appropriate uses that require a countryside location. In line with Swindon Borough Local Plan 2026 Policy EN5 development proposals for appropriate

uses must conserve and enhance the intrinsic rural character, diversity and local agricultural distinctiveness of Hannington's landscape. In particular any such proposals should use poorer quality land in preference to that of high grade agricultural land (grades 1, 2 and 3a).'

As reworded the new Policy HPOC2 meets the Basic Conditions.

Supporting Information for the new Policy HPOC2

Subject to one amendment the Supporting Information for Policies HPOC2 and HPOC5 can be merged.

Recommendation 30:

Add to the Supporting Information for Policy HPOC2 the Supporting Information for Policy HPOC5 but delete from the latter "see Supporting Information Central Government Policy to protect agricultural land" since the NPPF reference is sufficient.

Policy HPOC3 Protection of Habitats

The Policy title and wording lack some co-ordination; 'birds' is not in the title and 'habitats' is not in the Policy wording.

Recommendation 31:

Slightly reword the title and Policy content of Policy HPOC3 as follows:

'HPOC3 Protection of Bird Habitats

Development proposals should not cause the destruction of any green spaces which are the habitat of wild birds (including hunting grounds of birds of prey).'

As slightly reworded Policy HPOC2 meets the Basic Conditions.

Supporting Information for Policy HPOC3

Within the text there is an incomplete sentence and since this is supporting a land use policy reference to penalties for disturbance is inappropriate.

Recommendation 32:

32.1 In the Supporting Information for Policy HPOC3 complete the third sentence in paragraph 1 as:

'Specifically but not exclusively the local birds of prey are the red kites and buzzards that are in the area.'

32.2 Delete bullet point 2 in the detail about the red kite.

Policy HPOC4 Solar Farms and Masts

The wording here takes the form of a series of statements rather than a Policy but includes reference to 'wind farms' which is not in the title and incorrectly references the related Local Plan Policies (they are IN3 & IN4).

One of the Core Principles within the NPPF is that planning should "support the transition to a low carbon future in a changing climate and encourage the use of renewable resources (for example, by the development of renewable energy)". However the NPPF does further recognise (para 97) that local policies should "maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts". Planning Practice Guidance offers more detail including the expectation that "great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting" and "protecting local amenity is an important consideration which should be given proper weight in planning decisions" (Reference ID: 5-007-20140306).

On the matter of masts the NPPF says (para 43) that local authorities “should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network..... Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.”

National policy and Local Plan Policies IN3 and IN4 therefore already address the issues covered in this Policy but the Qualifying Body is concerned that these matters raised in the consultations should be included in the Plan.

Recommendation 33:

Reword and correct Policy HPOC4 as follows:

‘HPOC4 Solar & Wind Farms and Telecommunication Masts

In line with Swindon Borough Local Plan 2026 Policies IN3 & IN4, the siting and design of proposals for low carbon and renewable energy and telecommunications installations should address, inter alia, their impacts on, and benefits to, the local community and their environmental impact, including cumulative landscape and visual impacts, which for Hannington must include their impact on the Conservation Area.’

As reworded Policy HPOC4 meets the Basic Conditions.

Supporting Information for Policy HPOC4

The supporting information needs slight adjustment since the full stop seems to have been put in the wrong place.

Recommendation 34:

Amend the Supporting Information for Policy HPOC4 to read as follows and delete the balance which is unnecessary:

‘Resistance to the building of solar farms, wind turbines and mobile phone masts is clearly reflected in the community involvement questionnaire results.’

HPOC5 Agricultural Heritage

As this content, to the extent appropriate, has been incorporated with Policy HPOC2 the content here can now be deleted.

Recommendation 35:

Delete Policy HPOC5 and its Supporting Information.

Appendices A - C

None of the content here is relevant to the content of the Plan – although it should be available as supporting material that has been relevant to the progressing of the Plan. However, the Hannington Character Assessment and Design Statement is an integral part of many Policies and therefore ought to be included as an Appendix to ensure ease of access.

Recommendation 36:

Delete Appendices A – C and insert the ‘Hannington Character Assessment and Design Statement’ (subject to the incorporation of amendments as recommended below) as a new Appendix A both here and on the Contents Page; replace all other titling on the existing Character Assessment and Design Statement with ‘Appendix A’.

Monitoring and Review

A commitment to monitoring and review is essential.

Recommendation 37:

Add a section (both here and on the Contents Page) headed 'Monitoring and Review' as follows:

'The Parish Council will monitor the impact of the Neighbourhood Plan and formally review it no later than 2022 and then on a 5 year cycle which may be brought into line with the review cycle of the Swindon Borough Local Plan 2026.'

Village Character Assessment and Design Statement

At my request the Qualifying Body reviewed the submitted Village Design Statement (VDS) because:

- a response to comments made by Swindon Borough Council was outstanding;
- despite the use of a variety of descriptive terms it was agreed that the function of the document was to provide "guidance"; it is important that both the content and the wording within the VDS have appropriate regard for the NPPF expectations:
"para 59: Local planning authorities [and by extension Qualifying Bodies for Neighbourhood Plans] should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.
para 60: Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."
- the document is referenced in a number of Policies within the Neighbourhood Plan and therefore the content needs to be part of that "practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency" (NPPF para 17);
- as noted in Recommendation 35 above, I believe that the document should be included within the Neighbourhood Plan as an Appendix and titled as such.

It is the version of the document shown as revision number 9 dated 26th April 2018 that is the subject of the recommendations below.

Hannington Parish and Village Character Assessment

The Character Assessment provides a helpful and primarily factual background to help prospective developers understand the bases of Hannington's local distinctiveness and identity. The wording needs to be helpfully descriptive and appropriate to its purpose and use; there are therefore some wording matters to be addressed.

Recommendation 38:

38.1 A consistent title for the Character Assessment and Design Statement document is needed for use throughout and 'Hannington Character Assessment and Design Statement' is the most straightforward version; 'Parish & Village' has not been used consistently and these words are not needed since it is the Plan area that is being addressed.

38.2 In paragraph 5 of the "Introduction" replace "require" with 'guide' since that is the agreed purpose for the document; in paragraph 6 replace "must" with 'may'.

38.3 Throughout the document remove the comment boxes remaining from redrafting.

Scope of the Character Assessment and identification of specific Character Areas

Given that the Assessment is often written as a walk through named streets and footpaths I have to agree with Swindon Borough Council that street level maps of each Character Area are essential to following the narrative.

Recommendation 39:

Insert before each Character Area section a map at a scale that identifies the street and path names used within the related text.

Landscape Setting, Pathways and Views

First impressions are that this section relates to the rural area of the Parish outside of the Character Areas; in reality however, the content relates to the setting of Hannington village and therefore it ought to be located at part of the section on CA01 rather than at the end of all the assessments.

Recommendation 40:

Relocate the section headed “Landscape Setting, Pathways and Views” to be part of the section to which it relates headed “Character Assessment for CA01 - Queens Road”.

Hannington Parish and Village Design Statement

As noted above, the wording of the “Statement” must be appropriate to its purpose as a “guide”; the wording also needs to be accurate.

Recommendation 41:

41.1 Under the heading “Objectives” in paragraph 2 delete the words “does not set out to prohibit future growth in the area, but”; in paragraph 4 delete the word “unequivocally”; in paragraph 5 correct the name of the Supplementary Planning Guidance to ‘Buildings of Significant Local Interest’.

41.2 Under the sub-heading “2. Hannington Conservation Area Appraisal 2009” correct the title in the sub-heading to ‘Hannington Conservation Area Appraisal and Management Plan 2009’; in the final paragraph amend the word “control” to read ‘management’.

41.3 Throughout the document cross-references to specific Policies within the Neighbourhood Plan need to be rechecked and amended as required to match with the version of the Plan after recommended modifications have been made.

41.4 The use of the word “constraints” is unnecessarily negative when, as is noted, the objective of the “Statement” is to encourage good, appropriate design; delete the word “constraints” wherever it occurs.

41.5 Under the heading “Hannington Conservation Area – Design [Constraints]” always use capital letters for ‘Conservation Area’ or its abbreviation as ‘Area’ and for ‘Appraisal’; in paragraph 2 remove the words “policies – HPCA1/HPCA2”; delete the final two paragraphs since these are unrelated to the section heading.

41.6 Under the heading “Specific Material and Design [Constraints and] Guidance”, sub-heading “Sizes and Types”, in deference to the NPPF expectation that there should be no “unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness” (para 60), delete all but the last two paragraphs/sentences of this sub-section – I note that the same issue is addressed more pertinently under “Siting and Design”.

41.7 Delete the sub-heading “Supporting Information” and the related content since the Neighbourhood Plan itself addresses this issue more completely and the same issue is addressed more pertinently under “Siting and Design”.

41.8 Under the heading “External Appearance” change the tense in paragraph 2 from “will be” to ‘is’.

41.9 Under the heading “Roofs” in paragraph 1 replace “dictated” with ‘indicated’.

41.10 Under the heading “Doors” the local planning authority has indicated that the generic agreement to uPVC doors is in conflict with the Conservation Area policy; delete the first sentence.

41.11 Under the heading “Domestic Solar Panels” it is not appropriate for guidance to say what “will not be permitted”; delete the second sentence.

41.12 Under the heading “Parking” replace “must” with ‘should’.

41.13 Under the heading “Sewerage and drainage” delete the fourth sentence since no basis for the strong discouragement is provided; delete the fifth sentence as it is not appropriate for procedural obligations to be put on the local planning.

As reworded the Hannington Character Assessment and Design Statement meets the Basic Conditions.

Other matters raised in representations

Some representations make suggestions for additional content, including objectives, but it should be appreciated that, given that the Neighbourhood Plan sits within the development plan documents as a whole, keeping content pertinent is entirely appropriate. There is no obligation on Neighbourhood Plans to be comprehensive in their coverage – unlike Local Plans - and content is properly guided by the priority issues for the community, not least because supporting evidence is required.

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

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

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

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Opinion for the Hannington Neighbourhood Plan (dated December 2017) produced by Swindon Borough Council has been used to determine whether or not the content of the Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plan and Programmes Regulations 2004. The Screening noted and the Statutory Consultees agreed that the Hannington Neighbourhood Plan:

- will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations and therefore does not require a SEA; and
- as the Plan does not allocate sites and is in general conformity with the Swindon Borough Local Plan 2026, no HRA is required.

Particularly in the absence of any adverse comments from the statutory bodies or the Local Planning Authority, I can confirm that the Screening undertaken was appropriate and proportionate and confirm that the Plan has sustainability at its heart.

The Hannington Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998. No evidence has been put forward to demonstrate that this is not the case.

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

Conclusions

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

I therefore conclude that, subject to the modifications recommended, the Hannington 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 Hannington 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 16th March 2015.

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

Rec.	Text	Reason
1	<p>1.1 On the front cover reduce the content to 'Hannington Parish Neighbourhood Plan' and a date for the document: 'December 2017' (but see also Recommendation 2 below).</p> <p>1.2 Remove the listing of versions.</p> <p>1.3 Add numbers to each section listed in the "Table of Contents" (excluding the Appendices) both on the Contents Page and within the body of the Plan.</p> <p>1.4 Re-check the whole of the final document for consistency in capitalising words.</p>	For clarity and correction
2	Add the Plan period to the front cover thus: 'Hannington Neighbourhood Plan 2018 – 2026'.	For clarity and correction
3	<p>Under the heading "The Neighbourhood Plan – Introduction and Purpose" amend/correct the following:</p> <p>3.1 Delete paragraphs 2, 3 & 5.</p> <p>3.2 Remove the reference to "Neighbourhood Forums" in paragraph 4, and references to "or orders" in the first sentence of paragraph 7, and the whole of the second sentence of paragraph 7.</p> <p>3.3 In paragraph 9 replace "nominated" with 'appointed'.</p> <p>3.4 In paragraph 11 replace "strategic" with 'planning' and remove "and village design statements" and "and desires" since neither of these is part of the statutory planning system.</p>	For clarity and correction
4	<p>Under the heading "Hannington Parish – A brief history and overview":</p> <p>4.1 Delete paragraph 6 (list of listed buildings) and replace with: 'There are 17 Grade 2 Listed Buildings across Hannington Parish. Hannington Village and its setting was designated a Conservation Area in 1979, redesignated in 1990 and an 'Appraisal and Management</p>	For clarity and correction

	<p>Plan' was adopted by Swindon Borough Council in February 2009 (see Map1).'</p> <p>4.2 Add after paragraph 8: 'The Swindon Borough Local Plan 2026 identifies a 'Rural Settlement Boundary' for Hannington Village (see Map2) within which development will be concentrated in accordance with Local Plan Policy SD2.'</p> <p>4.3 Relocate the two maps to immediately follow the text and retitle the renumber and retitle the maps as follows: 'Map1 – Hannington Conservation Area Map2 – Hannington Rural Settlement Boundary'.</p>	
5	<p>Under the heading "Hannington Neighbourhood Area":</p> <p>5.1 In paragraph 1 correct the designation date to 16th March 2015; including the Council Decision Notice as Appendix A is not appropriate, it is sufficient for this to be referenced within the Basic Conditions Statement.</p> <p>5.2 Delete paragraphs 2, 3 & 4.</p> <p>5.3 Renumber and retitle the map of the Hannington Neighbourhood Area as: 'Map3 – Hannington Neighbourhood Area'.</p>	For clarity and correction
6	<p>Under the heading "Hannington Neighbourhood Plan – Vision Statement" delete paragraph 2.</p>	For clarity and correction
7	<p>Under the heading "Plan Evidence and Justification":</p> <p>7.1 Amend the title to 'Plan Origins and Justification'.</p> <p>7.2 Amend paragraph 1 to: 'The Neighbourhood Plan objectives that are the bases for the Plan Policies derive from the original Parish questionnaire (the process is set out in fuller detail in the 'Statement of Community Involvement' that accompanies the Plan).'</p> <p>7.3 Delete paragraphs 2 & 3.</p> <p>7.4 Add a second sentence to paragraph 4 as follows: 'As a result of these efforts 38% of the</p>	For clarity and correction

	<p>questionnaires were returned for analysis.'</p> <p>7.5 Add an additional paragraph after paragraph 5 as follows: 'After much drafting and redrafting the draft Plan document was the subject of a Regulation 14 public consultation between October and November 2017 (fuller details are provided within the Consultation Statement companion document 'Public Consultation Review 24th October 2017 and 14th November 2017').'</p>	
8	<p>Rewrite Policy HPRD1 as follows: 'Hannington, as a rural village that lacks accessibility and a suitable range of facilities, is not a priority for growth as identified in the Swindon Borough Local Plan 2026 Policy SD2.</p> <p>a) However the Plan identifies that within its Rural Settlement Boundary the village should accommodate a share of the development expected across all the rural villages that is "proportional to [its] size and function" and primarily that is a share of (at least) the 100 dwellings for "Other Villages" as stipulated in Local Plan Policy LN1.</p> <p>b) The Hannington Conservation Area extends outside of the Rural Settlement Boundary to include the immediate, countryside setting of the village recognising that the village has "a tranquil atmosphere and a high environmental quality" to be conserved (Hannington Conservation Area Appraisal and Management Plan, 2009).</p> <p>c) The Local Plan Policy SD2 further indicates that development outside of the Rural Settlement Boundary in rural and countryside locations will be permitted where:</p> <ul style="list-style-type: none"> • local needs have been identified and allocated through a Neighbourhood Plan; and/or • it supports the expansion of tourist and visitor facilities in appropriate locations; or • it is in accordance with other Policies within the Local Plan permitting specific development in the countryside. <p>d) This Neighbourhood Plan does not identify or allocate for local needs beyond</p>	<p>For clarity and correction and to meet Basic Conditions 1 & 3</p>

	<p>those already addressed since 2011 through completed dwellings or development with a planning consent; these are assessed as fulfilling the proportional growth set out in the Swindon Borough Local Plan 2026.</p> <p>e) In the event that Swindon Borough Local Plan growth requirement for rural villages is varied or the consented developments are not implemented then further development proposals should be in accordance with Local Plan (in particular Policy SD2 as identified at i and iii above) and have appropriate regard for the Hannington Conservation Area and for the other related Policies in this Plan.'</p>	
9	<p>In the Supporting Information for Policy HPRD1:</p> <p>9.1 Add an opening paragraph as follows: 'The Swindon Borough Local Plan 2026 identifies Hannington as a rural village for which it defines a Rural Settlement Boundary. Local Plan Policy SD2 sets down the strategic bases upon which growth to 2026 will be accommodated; growth in rural villages will be concentrated within the Rural Settlement Boundary.'</p> <p>9.2 Rephrase the existing opening paragraph as follows: 'Local Plan Policy SD2 says that developments proposed to be sited outside the rural settlement boundary will be permitted only if they fulfil specific, limited functions and therefore any such proposals will be the subject of appropriately rigorous scrutiny.'</p> <p>9.3 Take in from the Supporting Information for Policy HPRD7 the paragraphs commencing "Clarification was sought....." (page 19) through to the paragraph ending ".....over the Plan period is 3" (page 20). After this add the following: 'At the time of submission of this Plan, since the commencement of the Local Plan period in 2011 one additional dwelling had been completed, two dwellings had a planning consent and an application had been submitted for 8 dwellings; the latter application was approved in January 2018 (subject to conditions). Therefore, subject to build-out of the consented developments, the "proportional" growth expected of</p>	For clarity and correction

	Hannington will have been achieved and exceeded; consultation for the Plan acknowledged that this modest additional growth should assist in meeting the housing needs of the Parish in terms of a greater mix of housing, particularly for the older and younger generations.'	
10	<p>In Policy HPRD2:</p> <p>10.1 Reword the opening sentence as follows: 'Development proposals , both residential and non-residential, will adhere to the guidance in the Hannington Character Assessment and Design Statement and the Hannington Conservation Area Appraisal and Management Plan:'.</p> <p>10.2 From section (a) replace everything after the comma (ie commencing "they should be...") with 'and'.</p> <p>10.3 In section (b) replace "and/or" with 'and'; delete "the local character of the area and in particular"; add at the end 'and the Swindon Design Guide 2009'.</p> <p>10.4 Add '(c) Whilst preserving the character of the area, development proposals should demonstrate the application of the principles of sustainable design'.</p>	For clarity and correction and to meet Basic Condition 1
11	<p>In the Supporting Information for Policy HPRD2:</p> <p>11.1 Delete the first paragraph and the bullet point list.</p> <p>11.2 Reword the final (and now remaining) paragraph as follows: 'The Hannington Character Assessment and Design Statement document contains guidelines and detailed character area backgrounds for Policy HPRD2.'</p>	For clarity and correction
12	<p>In Policy HPRD3:</p> <p>12.1 Delete sections (a), (c), (e) & (g); renumber the remaining sections accordingly.</p> <p>12.2 Reword section (b) as follows: 'The new dwellings are not 'backland' or 'tandem' development, as defined in the Swindon Borough Residential Design Guide SPD, unless they fall within the ambit of Policy HPRD5; and'</p>	For clarity and correction and to meet Basic Conditions 1 & 3

	<p>12.3 Reword section (d) as follows: 'The siting and design of the dwellings are in keeping with the street scene and, where appropriate, the character of the Conservation Area; and'</p> <p>12.4 Partly reword section (f) as follows: 'Safe access and egress to the existing (if altered) and proposed dwelling is achieved in accordance with.....'</p>	
13	<p>In the Supporting Information for Policy HPRD3:</p> <p>13.1 Delete the second sentence (which is included in brackets).</p> <p>13.2 Remove "HANNINGTON PLANNING STEERING GROUP" from the third sentence.</p> <p>13.3 Replace the fourth sentence (now included as an authoritative reference in the Policy) with: ' For Hannington village the Conservation Area Appraisal and Management Plan notes as a feature that "The settlement's haphazard layout results in a high proportion of open space and there are generally wide spaces between buildings and, unusually, roadside open space".'</p>	For clarity and correction
14	<p>Reword Policy HPRD4 as follows:</p> <p>'Proposals for the sub-division of existing dwellings must consider, assess and address, within the terms of the Swindon Borough Local Plan Policy HA4 and the Residential Design Guide SPD, their impact on:</p> <ul style="list-style-type: none"> a) the character and street scene of their setting including, where appropriate, the Conservation Area; and b) the amenity of the adjacent properties; and c) the adequacy of the access, parking and garden space for the dwellings as proposed.' 	For clarity and correction and to meet Basic Conditions 1 & 3
15	<p>Replace the Supporting Information with:</p> <p>'Although the sub-division of dwellings will not of itself reduce the surrounding amenity space, the related provision for access, parking and plot sub-division may reduce the valued open, green space about the buildings which, particularly within the</p>	For clarity and correction

	Hannington Conservation Area, will be a vital consideration.'	
16	Delete Policy HPRD5 (the relevant content having been picked up at Policy HPRD2) and renumber the subsequent policies accordingly.	For clarity and correction and to meet Basic Condition 1
17	Renumber and retitle Policy HPRD6 as 'HPRD5 Redevelopment of Land' and reword the Policy as follows: 'The sympathetic redevelopment of buildings (with their curtilages) and previously developed land will be supported, where a planning consent is required, provided that in so doing: a) the objectives of the Neighbourhood Plan are being addressed; and b) integration of the redevelopment within its setting, whether village or countryside, is achieved; and c) no significant harm is effected to the local infrastructure (including but not exclusively power, water, sewerage, telecoms and roads).'	For clarity and correction and to meet Basic Condition 1
18	In the Supporting Information for Policy HPRD6 add immediately after "NPPF" the following: '(Annex 2: Glossary)'.	For clarity and correction
19	Renumber and reword Policy HPRD7 as follows: 'HPRD6 Housing Supply The housing requirement up to 2026 for Hannington village having already been met (through new construction and new planning consents), no requirement for further sites is identified in this Plan. Should the need arise for additional housing to meet identified needs then: a) in accordance with Swindon Borough Local Plan 2026 sites should be located within the Rural Settlement Boundary and be proportional to the size and form of the village; and b) proposed developments should, wherever possible, respond to the latest assessment of housing needs in the Hannington Parish; current needs identified through the Plan preparation are for smaller dwellings for first time buyers, for those wishing to downsize and for older persons; and c) in order to effect sympathetic	For clarity and correction and to meet Basic Conditions 1, 2 & 3

	integration within the existing village and retain the character of the Conservation Area, sites will normally be of a size to accommodate between one and three dwellings.'	
20	<p>In the Supporting Information for the renumbered Policy HPRD6:</p> <p>20.1 Delete the content related to Plot Ratios (on page 19) since the suggested value of this tool is established only in the abstract but without a reality check for application in Hannington; the Conservation Area Appraisal and Management Plan notes the value of the "settlement's haphazard layout".</p> <p>20.2 Delete the content related to the housing requirement (on pages 19 & 20) since this has been relocated under Policy HPRD1.</p> <p>20.3 Retain the paragraph relating to meeting the needs of Hannington Parish (on page 20) reworded as follows: 'If additional sites for housing are required then these must respect the character of the village and its Conservation Area and should assist in meeting the housing needs of Hannington Parish which were identified through consultation as a greater mix of housing, including in particular for the older and younger generations.'</p>	For clarity and correction
21	In Policy HPF1 replace "Flood Plain of" with 'Thames flood plain at'.	For clarity and correction
22	<p>In the Supporting Information for Policy HPF1:</p> <p>22.1 Delete the second sentence of paragraph 2.</p> <p>22.2 Add to paragraph 2 as follows: 'Thames Water advise that it is the responsibility of the developer to make proper provision for surface water drainage and surface water must not be allowed to drain to the foul sewer as this is the major contributor to sewer flooding.'</p>	For clarity and correction
23	<p>23.1 Amend the title of Policy HPCA1 to 'Protection of Heritage Assets'.</p> <p>23.2 Reword Policy HPCA1 as follows:</p>	For clarity and correction

	'In line with Swindon Borough Local Plan 2026 Policy EN10 development proposals that will affect designated or non-designated heritage assets shall conserve and, where appropriate, enhance their significance and setting.'	
24	In the Supporting Information for Policy HPCA1 delete the word "designated" in the first line.	For clarity and correction
25	Reword Policy HPCA2 as follows: 'Development proposals within or that would affect the setting of the Hannington Conservation Area shall demonstrate regard for the Hannington Conservation Area Appraisal and Management Plan (2009) and, in line with Swindon Borough Local Plan 2026 Policy EN10, will conserve those elements which contribute to its special character and appearance.'	For clarity and correction and to meet Basic Conditions 1 & 3
26	In the Supporting Information for Policy HPCA2 delete all except the first sentence of paragraph 2 beginning "The community supports....".	For clarity and correction
27	Reword Policy HPOC1 as follows: 'Development proposals that adversely affect the existing footpaths and bridleways around the Parish will be resisted in line with Swindon Borough Local Plan 2026 Policy TR2d.'	For clarity and correction and to meet Basic Condition 1
28	In the Supporting Information for Policy HPOC1, second line, replace "Policy TR2)" with 'Policy TR2d'.	For correction
29	<p>29.1 In line with the Swindon Borough Local Plan 2026 it will be sufficient to refer to the "Countryside" (ie the area outside the Rural Settlement Boundary) rather than the "Open Countryside" in the title for Policy HPOC2.</p> <p>29.2 Delete HPOC2 paragraph (a) since the wording is an almost exact copy of Policy HPRD2.</p> <p>29.3 Merge the remaining part of Policy HPOC2 with the core concern of Policy HPOC5 as follows: 'In line with Swindon Borough Local Plan 2026 Policy SD2 development proposals in the countryside will be restricted to</p>	For clarity and correction and to meet Basic Conditions 1 & 3

	appropriate uses that require a countryside location. In line with Swindon Borough Local Plan 2026 Policy EN5 development proposals for appropriate uses must conserve and enhance the intrinsic rural character, diversity and local agricultural distinctiveness of Hannington's landscape. In particular any such proposals should use poorer quality land in preference to that of high grade agricultural land (grades 1, 2 and 3a).'	
30	Add to the Supporting Information for Policy HPOC2 the Supporting Information for Policy HOPC5 but delete from the latter "see Supporting Information Central Government Policy to protect agricultural land" since the NPPF reference is sufficient.	For clarity and correction
31	Slightly reword the title and Policy content of Policy HPOC3 as follows: 'HPOC3 Protection of Bird Habitats Development proposals should not cause the destruction of any green spaces which are the habitat of wild birds (including hunting grounds of birds of prey).'	For clarity and correction
32	32.1 In the Supporting Information for Policy HPOC3 complete the third sentence in paragraph 1 as: 'Specifically but not exclusively the local birds of prey are the red kites and buzzards that are in the area.' 32.2 Delete bullet point 2 in the detail about the red kite.	For clarity and correction
33	Reword and correct Policy HPOC4 as follows: 'HPOC4 Solar & Wind Farms and Telecommunication Masts In line with Swindon Borough Local Plan 2026 Policies IN3 & IN4, the siting and design of proposals for low carbon and renewable energy and telecommunications installations should address, inter alia, their impacts on, and benefits to, the local community and their environmental impact, including cumulative landscape and visual impacts, which for Hannington must include their impact on the Conservation Area.'	For clarity and correction and to meet Basic Condition 1
34	Amend the Supporting Information for Policy HPOC4 to read as follows and delete the	For clarity and correction

	balance which is unnecessary: 'Resistance to the building of solar farms, wind turbines and mobile phone masts is clearly reflected in the community involvement questionnaire results.'	
35	Delete Policy HPOC5 and its Supporting Information.	For clarity and correction and to meet Basic Condition 1
36	Delete Appendices A – C and insert the 'Hannington Character Assessment and Design Statement' (subject to the incorporation of amendments as recommended below) as a new Appendix A both here and on the Contents Page; replace all other titling on the existing Character Assessment and Design Statement with 'Appendix A'.	For clarity and correction
37	Add a section (both here and on the Contents Page) headed 'Monitoring and Review' as follows: 'The Parish Council will monitor the impact of the Neighbourhood Plan and formally review it no later than 2022 and then on a 5 year cycle which may be brought into line with the review cycle of the Swindon Borough Local Plan 2026.'	For clarity and correction
38	38.1 A consistent title for the Character Assessment and Design Statement document is needed for use throughout and 'Hannington Character Assessment and Design Statement' is the most straightforward version; "Parish & Village" has not been used consistently and these words are not needed since it is the Plan area that is being addressed. 38.2 In paragraph 5 of the "Introduction" replace "require" with 'guide' since that is the agreed purpose for the document; in paragraph 6 replace "must" with 'may'. 38.3 Throughout the document remove the comment boxes remaining from redrafting.	For clarity and correction
39	Insert before each Character Area section a map at a scale that identifies the street and path names used within the related text.	For clarity
40	Relocate the section headed "Landscape Setting, Pathways and Views" to be part of the section to which it relates headed	For clarity and correction

	"Character Assessment for CA01 - Queens Road".	
41	<p>41.1 Under the heading "Objectives" in paragraph 2 delete the words "does not set out to prohibit future growth in the area, but"; in paragraph 4 delete the word "unequivocally"; in paragraph 5 correct the name of the Supplementary Planning Guidance to 'Buildings of Significant Local Interest'.</p> <p>41.2 Under the sub-heading "2. Hannington Conservation Area Appraisal 2009" correct the title in the sub-heading to 'Hannington Conservation Area Appraisal and Management Plan 2009'; in the final paragraph amend the word "control" to read 'management'.</p> <p>41.3 Throughout the document cross-references to specific Policies within the Neighbourhood Plan need to be rechecked and amended as required to match with the version of the Plan after recommended modifications have been made.</p> <p>41.4 The use of the word "constraints" is unnecessarily negative when, as is noted, the objective of the "Statement" is to encourage good, appropriate design; delete the word "constraints" wherever it occurs.</p> <p>41.5 Under the heading "Hannington Conservation Area – Design [Constraints]" always use capital letters for 'Conservation Area' or its abbreviation as 'Area' and for 'Appraisal'; in paragraph 2 remove the words "policies – HPCA1/HPCA2"; delete the final two paragraphs since these are unrelated to the section heading.</p> <p>41.6 Under the heading "Specific Material and Design [Constraints and] Guidance", sub-heading "Sizes and Types", in deference to the NPPF expectation that there should be no "unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness" (para 60), delete all but the last two paragraphs/sentences of this sub-section – I note that the same issue is addressed more pertinently under "Siting and Design".</p> <p>41.7 Delete the sub-heading "Supporting Information" and the related content since the Neighbourhood Plan itself addresses this issue more completely and the same issue is addressed more pertinently under</p>	For clarity and correction and to meet Basic Conditions 1 & 3

	<p>"Siting and Design".</p> <p>41.8 Under the heading "External Appearance" change the tense in paragraph 2 from "will be" to 'is'.</p> <p>41.9 Under the heading "Roofs" in paragraph 1 replace "dictated" with 'indicated'.</p> <p>41.10 Under the heading "Doors" the local planning authority has indicated that the generic agreement to uPVC doors is in conflict with the Conservation Area policy; delete the first sentence.</p> <p>41.11 Under the heading "Domestic Solar Panels" it is not appropriate for guidance to say what "will not be permitted"; delete the second sentence.</p> <p>41.12 Under the heading "Parking" replace "must" with 'should'.</p> <p>41.13 Under the heading "Sewerage and drainage" delete the fourth sentence since no basis for the strong discouragement is provided; delete the fifth sentence as it is not appropriate for procedural obligations to be put on the local planning.</p>	
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