

**Calne Community Neighbourhood Plan 2 Submission Draft  
Qualifying Bodies Response to Examiners Clarification Note**

<b>Examiners Question</b>	<b>Draft Response</b>
<p><b>Context and Initial Comments</b> This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.</p> <p>The Plan is very well-presented. The distinction between the policies and the supporting text is very clear. The Plan provides a clear and distinctive vision for the neighbourhood area. The Review has focused on appropriate matters.</p> <p>The Plan is distinctive and proportionate to the neighbourhood area. The wider community and the qualifying bodies (Calne Town Council and Calne Without Parish Council) have spent time and energy in identifying the issues and objectives that they wish to be included in the review of the 'made' Plan</p>	<p>The examiners positive comments about the presentation of the plan and the matters it covers are welcomed by the QBs.</p>
<p><b>The significance of the review of the Plan</b> The Modification Statement is very helpful. Having considered all the evidence, I agree with the two councils that the submitted Plan proposals are a material and significant modification of the made Plan, and are so significant or substantial as to change the nature of the made Plan. As such the Plan requires both examination and a referendum. I will proceed on this basis</p>	<p>Thank you for confirming that the modifications of the Plan are material and require both examination and a referendum.</p>

<b>Questions for the Qualifying Bodies</b>	
<p><b><i>The relationship between the submitted review of the neighbourhood plan and the emerging Local Plan</i></b></p> <p>This issue features in the representations received from the development industry. The submitted Plan comments that the Wiltshire Local Plan is currently being reviewed to cover the period up to 2038, and the review of the neighbourhood plan will also look ahead to 2038 and the updated policy framework of the Wiltshire Local Plan.</p> <p>Nevertheless, should it be clearer that the emerging Local Plan has proposed sites in the neighbourhood area and that the eventual adoption of the emerging Local Plan may trigger the need for a further review of the neighbourhood plan? This issue is eventually addressed in paragraph 10.3.3 of the Plan but does not feature in the earlier sections</p>	<p>This issue is covered in Housing</p> <p>Paras 9.4.5. to 9.4.8 also set out the current Wiltshire Local Plan proposals and indicate that its' adoption will trigger a review of the CCNP.</p> <p>QBs suggest that the plan also adds the following text to the Introduction Add text to 1.10.5 to address this issue.</p> <p>“It is likely that the new Wiltshire Local Plan will identify site allocations and new development opportunities for the CCNP area that will require a subsequent early review of this plan.”</p>
<p><b><i>Policy C2</i></b></p> <p>As submitted, the policy reads in an ambitious way. Should certain elements of the policy be modified so that they can be applied where it is both practicable and viable to do so?</p>	<p>QBs would welcome the Examiners assistance in improving the practicability and viability of the policy for use by the planning authority.</p>
<p><b><i>Policy NE1</i></b></p> <p>Please can I be sent a copy of the assessment of the proposed additional LGSs against the criteria in paragraphs 105 and 106 of the NPPF (as referenced in paragraph 4.3.3). It would also be helpful for me to have access to the full set of background documents</p>	<p>Examiner has been supplied with the background papers that support the plan.</p>
<p><b><i>Policy NE2</i></b></p>	<p>Part 1a includes reference to the National policy to make the Policy understandable to those only reading the Neighbourhood Plan which will include most of those voting at referendum. The QB's would prefer to</p>

<p>The policy addresses biodiversity in a very positive way. Nevertheless, is part 1a necessary given that biodiversity net gain is now addressed by way of national legislation?</p>	<p>keep it if possible if not in the policy, then in supporting text. The second part of 1a reflects the community's positive attitude to encouraging those who do more than the minimum to support biodiversity.</p>
<p><i>Policy NE4</i>          Could the policy be refined to secure a balance between protecting trees and hedgerows of importance on the one hand, and enabling appropriate developments that may require the removal of a number of these features to proceed on the other hand?</p>	<p>While agreeing that the policy should not prevent development the QB's wish the policy to retain the protection of ancient trees which are irreplaceable and rare in the Plan area. (See Trees and Hedgerows Topic paper page 8).</p>
<p><i>Policy NE5</i>          This is an excellent policy which responds positively to the character of the neighbourhood area and the location of built development</p>	<p>The QBs welcome the examiners support of this policy.</p>
<p><i>Policy BE1</i>          In general, this is an excellent and distinctive policy. However, I am minded to recommend the deletion of the final sentence of the second part of the policy as its comments are both inappropriate and are not a land use planning policy. Do the qualifying bodies have any comments on this proposition?</p>	<p>The final sentence was included to counteract the argument sometimes put by developers that a certain design, use of materials or scale of development must be ok if it already exists on another development within the town. The QBs would ask that if it is to be removed that the following replacement text is used:  <i>In each character area, proposals are expected to harness the opportunities within the design principles and must not exacerbate identified issues relating to poor design and should seek to resolve them where possible. Development proposals must not follow or be influenced by recent poor design in the area</i></p> <p>Additional text suggested for addition to the plan at para 5.3.2.          5.3.2 This is not about resisting change; the past and the present must shape the future. Well-designed buildings and developments that respond to local character, history, and identity of local surroundings are</p>

	<p>essential. Figure 6 shows the great variety of places and character areas there are in the Plan area. <del>New development should not merely echo local examples of poor design</del> <i>Development proposals must not follow or be influenced by issues of recent poor design in the area but should take opportunities to innovatively incorporate locally distinctive features, in each different character area as identified in the Calne Area Design Guide and Codes.</i></p>
<p><b>Policy GA3</b> In general terms this is a good policy. However, should the four criteria in the second part of the policy be applied proportionately and where it is practicable to do so?</p>	<p>The QBs would welcome the examiners assistance in achieving an effective policy for the provision of and access to active travel for all. The reasoning behind the limits in part a has been explained in the response to comments made at Regulation 14 and the evidence to support this stance included in the Getting Around topic paper page 8.</p>
<p><b>Policy GA4</b> The policy has an uncomfortable relationship with Part S of the Building Regulations. Please can the qualifying bodies explain the approach taken in more detail.</p>	<p>As part of their Regulation 14 response, Wiltshire Council highlighted the following: <a href="#">(See Regulation 14 Responses GA4-30, GA4-31, GA4-32)</a> <i>Calne has a designated Air Quality Management Area (AQMA) and a high reliance on private vehicle use. As such, the Council suggested that there is clear policy justification for requiring EVC as it will help address air quality. They also suggested that the policy could explicitly require all new major housing developments to have EVC (without the building regulations Part S exemptions) as a result of these particular local circumstances.</i></p> <p>Concerns about the AQMA and aspirations to address associated issues are discussed in the Getting Around Topic Paper. Wiltshire Council has recently produced an Air Quality Action Plan for Wiltshire (adopted March 2024). This document sets out that Nitrogen dioxide concentrations in Calne have seen small fluctuations over the previous five years (2015 – 2019), they therefore suggest further measures are introduced to reduce nitrogen dioxide levels</p>

	<p>down to safe levels within the AQMA. One of the Air Action Plan's recommendations is reopening the High Street in Calne to traffic as a way of reducing traffic emissions. The desirability of this proposal is something the Town Council will explore with Wiltshire Council.</p>
<p><i>Policy GA5</i> Are the second and third parts needed as they restate local policy?</p>	<p>The QBs have included reference to the existing local policy in parts 2 and 3 to add context and make the policy understandable to those only reading the Neighbourhood Plan which will be most of those voting in a referendum. Should they be removed the QBs ask that additional text be added to paragraphs 7.7.3 and 7.7.4.</p>
<p><i>Policy H1</i> In b is the word 'valued' a local statement/comment or an overarching description of the landscape types which follow?</p>	<p>The word valued is a local statement which refers to the setting of the town as detailed in policy NE5 and is in addition to the landscape types which follow.</p> <p>Landscape not within the boundary of the North Wessex Downs National Landscape is also <i>locally</i> valued. We reference the Landscape Institute's <a href="#">Technical Guidance Note</a> when thinking about the term 'valued'. <b><i>"A 'valued landscape' is an area identified as having sufficient landscape qualities to elevate it above other more everyday landscapes."</i></b> The guidance also notes that <b><i>(a) 'everyday' landscapes may nevertheless have value to people, and (b) the identification of landscape value needs to be applied proportionately ensuring that identification of 'valued landscape' is not over used.</i></b></p> <p>QBs suggest that the word "local" could be inserted before "valued" in the policy for clarity.</p>
<p><i>Policy H2</i> Is the first part needed as it repeats local policy?</p>	<p>QBs have included the local policy to give context and improve understanding for those only reading the Neighbourhood plan, which is</p>

	likely to be most of those voting in a referendum. If part 1 is to be removed the QBs would request additional text be added to para 9.5.5.
<p><i>Policy H5</i></p> <p>Part 1b of the policy is very prescriptive. Should it be applied more flexibly and where it is practicable and viable to do so?</p>	<p>QBs would welcome the Examiners assistance in improving the practicability and viability of the policy for use by the planning authority.</p>
<p><b>Representations</b></p> <p>Do the qualifying bodies wish to comment on any of the representations made to the Plan?</p> <p>I would find it helpful if the qualifying bodies responded to the representations made by Robert Hitchins Limited and Castlewood Property Ventures Limited.</p> <p>Wiltshire Council proposes a series of detailed refinements to the policies and the supporting text. It would be also helpful if the qualifying bodies commented on those suggestions</p>	<p>The QBs responses to the representation by Robert Hitchins Limited is unchanged from that given at Regulation 14 (Please see Representation DL3 in the <a href="#">Public and Stakeholder Comments from Regulation 14</a>)</p> <p>Additional explanation may be given above where the Examiner has raised a question about a policy.</p> <p>A response to Castlewood Property Ventures Ltd is attached.</p> <p>Response to Wiltshire Council's representation is given in the letter submitted dated 27<sup>th</sup> August 2024.</p>