Highworth Neighbourhood Plan 2
2021 - 2036

Basic Conditions Statement

September 2024

CONTENTS

SECTION 1: INTRODUCTION

SECTION 2: CONFORMITY WITH THE NATIONAL PLANNING POLICY FRAMEWORK

SECTION 3: PROMOTION OF SUSTAINABLE DEVELOPMENT

SECTION 4: CONFORMITY WITH THE STRATEGIC POLICIES OF THE SWINDON LOCAL PLAN

SECTION 5: CONFORMITY WITH ENVIRONMENTAL LEGISLATION AND OTHER MATTERS

SECTION 6: CONCLUSIONS

APPENDICES

APPENDIX A. RESPONSE FROM SWINDON BOROUGH COUNCIL RESPONDING TO THE REQUIREMENT FOR A HABITATS REGULATIONS ASSESMENT AND STRATEGIC ENVIRONMENTAL ASSESSMENT

1. INTRODUCTION

Basic Conditions

1.1 The NPPF, at Paragraph 37, stipulates that Neighbourhood Plans must meet certain "basic conditions" and other legal requirements, as set out Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), before they can come into force. It states that these are tested through an Independent Examination before the Neighbourhood Plan may proceed to Referendum.

1.2 This Basic Conditions Statement has been produced to supplement the Highworth Neighbourhood Plan 2. It sets out how the Basic Conditions prescribed by Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 are considered to have been met. The Basic Conditions are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State.
- The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
- The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan.
- The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.
- Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Plan. The prescribed condition is that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or an offshore marine site (as defined in the Offshore Marine Conservation (Natural Habits Regulations 2007) (either alone or in combination with other plans or projects).

1.3 There are two further basic conditions but these only apply to the making of a Neighbourhood Development Order and are thus not considered relevant for this document.

1.4 The Levelling Up and Regeneration Act was granted Royal Assent on 26 October 2023. This includes an amendment to the Basic Conditions in respect of general conformity with the strategic policies of the Development Plan. However, there is currently no commencement date associated with this Part of the Act and, until otherwise confirmed by the Secretary of State, the tests of the Basic Conditions remain as set out in Paragraph 1.2 above.

Submitting Body and Neighbourhood Plan Area

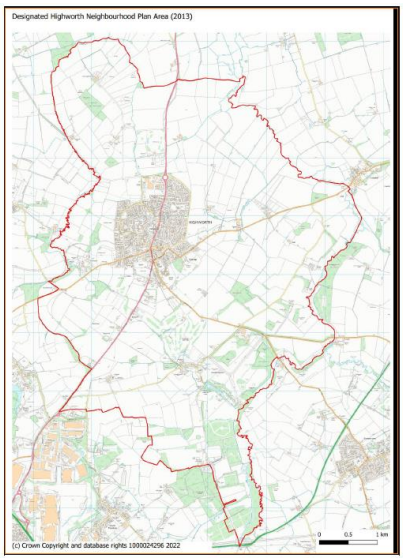
1.5 The Highworth Neighbourhood Plan has been prepared and submitted to Swindon Borough Council by Highworth Town Council. The Town Council is the qualifying body and is entitled to submit a Neighbourhood Plan for the Highworth Neighbourhood Plan Area.

1.6 The Highworth Neighbourhood Plan sets out policies that relate to development and the use of land within the Neighbourhood Plan Area, as shown in Figure 1. The Neighbourhood Area was designated on the 13th July 2017. The boundary of the Neighbourhood Plan Area is the same as the Town Council administrative boundary. The Neighbourhood Plan does not relate to more than one Neighbourhood Plan Area. There are no other adopted Neighbourhood Development Plans which cover the Neighbourhood Plan Area.

1.7 The Neighbourhood Plan covers the period 2021 – 2036. It means that, should Highworth Neighbourhood Plan 2 be made, it will, at the point of making, have a Plan Period of 15 years. This will allow for regular reviews, in line with the review of the Swindon Local Plan, which is currently at Regulation 18 stage, and results are not yet known.

1.8 The Neighbourhood Plan does not contain any policies which relate to excluded development, as defined by section 61k of the Town & Country Planning Act 1990.

Figure 1: The Neighbourhood Plan Area



Source: Highworth Neighbourhood Plan 2 (Figure 1)

Vision and Objectives

1.9 The Basic Conditions Statement refers, where appropriate, to the vision and objectives stated in the Highworth Neighbourhood Plan 2. These are produced below:

Vision

1.10 An extensive public engagement exercise was undertaken in the making of the first Highworth Neighbourhood Plan. These were used to develop a vision for the Highworth Neighbourhood Plan 2 and formed the basis of policies contained therein. The vision was subsequently reviewed by the Town Council through further extensive public consultation in Highworth Neighbourhood Plan 2. The agreed vision is:

The Highworth Neighbourhood Area is a rural parish centred on a historic hilltop market town surrounded by countryside that includes villages, hamlets, isolated manor houses and farms. It is a self- contained, prosperous and inclusive place with high quality, beautiful and sustainable buildings and settlements, that support a sense of belonging through social interaction and community cohesion. The countryside within the Highworth Neighbourhood Plan Area has an intrinsic character and beauty, with the landscapes of value being conserved and enhanced by local residents. Its assets of heritage and culture are sustained and appreciated.

It is a place where everyone has the opportunity to live healthy and fulfilling lives, enjoying its rich cultural heritage and living in a safe, strong, supportive and inclusive community that will preserve the natural environment, improve biodiversity, contribute towards combatting climate change and preservation of open and green spaces for health and wellbeing. It is a sustainable community offering education, lifestyle, and work opportunities in a safe and attractive environment that meets the needs of local residents, businesses, visitors and nature. The Highworth Neighbourhood Area recognises the importance of a positive and proactive approach to sustainable economic growth. Highworth Town Council will work with local organisations to help exclude poverty and exclusion and environmental degradation.

Objectives

1.11 The Highworth Neighbourhood Plan 2 (Paragraph 36) sets out the views of local residents and businesses about development that meets certain objectives. These are identified as follows:

- Meets local housing needs;
- Maintains the town's separate identity from Swindon;
- Retains the hilltop nature of the town;
- Preserves the key features of the open countryside and local landscape;
- Supports, improves and enhances the local economy;
- Further improves the Town Centre and protects the Conservation Areas;
- Provides safe routes for walking and cycling;
- Ensures the infrastructure can sustain the increase in population;

- Protects Highworth's heritage.

1.12 The themes contained in the made Highworth Neighbourhood Plan (2017) are carried forward in the Highworth Neighbourhood Plan 2. These themes are set out in Table 1 and 2 below.

Table 1: Themes of the made Highworth Neighbourhood Plan (2017)

Housing	• Meet the strategic housing requirement of the Local Plan in a way that benefits the town. • Provide a mix of housing to meet local need as evidenced at the time. • Promote shared ownership schemes as part of the affordable housing provision.
Economic Development	• Encourage sustainable business. • Rejuvenate the Town Centre to create a lively, thriving and attractive focus for the town. • Promote and develop the tourism industry and visitor facilities within Highworth. • Support and encourage existing businesses including home-working, while attracting new companies into the area.
Transport	• Promote traffic and road solutions that meets current needs and plans for the future. • Promote sustainable transport so that Highworth is a town in which people can choose to travel in ways that benefit their health and the environment. • Protect and extend the Public Rights of Way and off-road cycle routes to promote informal recreation and access to the countryside, sustainable travel and tourism.
Arts and Culture	• Protect community buildings, resist the loss of community facilities and extend and improve facilities where possible. • Use development contributions to fund community projects and infrastructure. • Protect buildings and features of local historic interest to preserve the rich and unique cultural heritage of Highworth.
Environment	• Promote good design in the built environment. • Protect open space, sport and recreation facilities • Designate Local Green Spaces. • Promote biodiversity and protect and preserve local wildlife sites.

Source: Highworth Neighbourhood Plan 2 (Table 2)

Table 2: Link between the polices contained in the made Highworth Neighbourhood Plan (2017) and Highworth Neighbourhood Plan 2

HNP1 Theme	HNP2 policy
Housing	Policy 1: Housing provision and mix
Economic Development	Policy 3: Highworth Town Centre Policy 4: Tourism, attractions and visitor accommodation Policy 5: Blackworth employment area
Transport	Policy 11: Sustainable transport
Arts and Culture	Policy 6: Community infrastructure/facilities
Environment	Policy 2: Development and the rural settlement boundary Policy 7: Design Policy 8: Landscape and views Policy 9: Open Space Policy 10: Local Green Space Policy 12: Biodiversity net gain and nature recovery

Source: Highworth Neighbourhood Plan 2 (Table 3)

Highworth Neighbourhood Plan 2 Policies

1.13 The Highworth neighbourhood Plan 2 contains 12 policies that cover the main issues in the Neighbourhood Plan Area. These are as follows:

1. Housing
2. Settlement Boundary
3. Highworth Town Centre
4. Tourism
5. Blackworth Employment Area
6. Community facilities and infrastructure
7. Design
8. Landscape and Views
9. Open Space
10. Local Green Space
11. Sustainable Transport
12. Biodiversity and Nature Recovery

Aspirations of the Highworth Neighbourhood Plan 2

1.14 In addition to the policies listed above, the Highworth Neighbourhood Plan 2 also includes a set of wider projects and community aspirations. These do not comprise of land use and development policies and are thus not subject to the tests of the Basic Conditions. These are listed in Table 3 below for comprehensiveness and referred to as appropriate in the Basic Conditions Statement.

Table 3: Community Infrastructure Projects and Priorities

- Works required in relation to Town Centre regeneration
- Cemetery extension
- Environmental improvements to Swindon Street
- Environmental Improvements to Gilbert's Lane
- Cycle facilities and network improvements
- Improvements to and provision of Children's play areas
- Improvements to and provision of Other open spaces
- Provision of Electric Vehicle charging points
- Provision of additional benches

2. CONFORMITY WITH THE NATIONAL PLANNING POLICY FRAMEWORK

Introduction

2.1 The Neighbourhood Plan must show that it has due regard to national policies contained in guidance issued by the Secretary of State. This is principally provided by the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG) published by the Department of Levelling Up, Housing and Communities.

2.2 The work on reviewing the Neighbourhood Plan was initially undertaken in line with the 2021 version of the NPPF. However, the NPPF was revised and updated again in December 2023. The current NPPF, at Appendix 1, sets out transition arrangements for those Development Plans currently in production and which version of the NPPF should be applied when examining these. At Paragraph 230, the NPPF refers to dates by which Plans must have reached consultation by in order to qualify for examination under previous versions of the NPPF. However, this paragraph only refers to Local Plan pre-submission, being Regulation 19 stage, and equivalent stages, for work on Spatial Development Strategies. The NPPF is silent on the arrangements for Neighbourhood Plans. As such, and for the purpose of longevity, this Basic Conditions Statement considers the Neighbourhood Plan against the most recent version of the NPPF (i.e. that published on the 20th December 2023).

2.3 The NPPF states, at Paragraph 18, that Neighbourhood Plans should contain non-strategic policies. At Paragraph 21, it states that strategic policies (in the Development Plan) provide a clear starting point for non-strategic policies and that strategic policies "should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies".

Status of a Neighbourhood Plan

2.4 The power of a Neighbourhood Plan is clearly set out in Paragraph 30 of the NPPF. This states that once a Neighbourhood Plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a Local Plan covering the Neighbourhood Plan Area.

2.5 The Town Council believes the Highworth Neighbourhood Plan 2 supports the delivery of strategic policies contained in the Swindon Local Plan and shapes and directs development that is outside of these strategic policies. It considers the Neighbourhood Plan contains only non-strategic policy proposals, and detailed policies for specific areas including the provision of infrastructure and community facilities at the local level, establishing design principles and conserving and enhancing the natural and historic environment (NPPF, Paragraph 28). The Town Council considers that its Neighbourhood Plan has provided its community with the power to develop a shared vision for the Neighbourhood Plan Area that will shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory Development Plan for the Borough of Swindon (NPPF, Paragraph 29). The Neighbourhood Plan contains a housing site allocation, brought forward from

the made Highworth Neighbourhood Plan (2017), additional sites have not been included at this stage as the Borough Council have not yet published the sites coming forward in the review of the Swindon Local Plan. The Highworth Neighbourhood Plan 2 is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (NPPF, Paragraph 31).

2.6 The policies contained in the Highworth Neighbourhood Plan 2 engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table 3 below.

Table 3: Relevant policy contained in the NPPF

NHP2 Policy	**Policy Title**	**NPPF Paragraph**	**Commentary**
1	Housing Provision and Mix	63 (Community Group Housing need)	The policy seeks to address the housing needs of certain groups in the Neighbourhood Plan Area. This includes single people, families, older people, and those with disabilities.
		64 (Affordable Housing)	The policy supports shared ownership in all housing schemes where affordable housing is required to be provided. This is deemed to be 30% for schemes over a certain threshold (site area/number of units).
		71 (Neighbourhood Plans and small site allocation)	The policy carries forward a site identified for housing purposes in the Highworth Neighbourhood Plan 1. The site is located at Crane Furlong.
		196 (Historic environment)	The policy seeks to protect existing commercial buildings in the 3 conservation areas in the Neighbourhood Plan Area from residential development. It requires the prevailing commercial character to be maintained.
2	Highworth's Development	15 (Planning system) 16 (Local plans)	The use of development boundaries is a long-established

	and Rural Settlement Boundary	29 (Neighbourhood plans)	mechanism of controlling housing development in the Borough of Swindon. They differentiate between what is the built -up area of a settlement and the open countryside beyond it. The development boundary is identified on the policies map. It is deliberately unambiguous in order to avoid any misunderstanding in the development management process.
3	Highworth Town Centre	88 (Prosperous rural economy) 90 (Town centres - growth, management and adaptation)	The policy acknowledges and defines the town centre of Highworth, including designating certain frontages, given its importance in serving the needs of those residents living in the Neighbourhood Plan Area. It encourages development that contributes positively to the vitality and viability of the town centre at both street level and the upper floor levels in existing buildings.
4	Tourism, Attractions and Visitor Accommodation	88 (Prosperous rural economy)	The policy recognises the positive role tourism plays in the local economy of the Neighbourhood Plan Area. This includes supporting the provision of new attractions and accommodation for those who are visiting in the short term and long-term.
5	Blackworth Employment Area	85 (Business investment, expansion and adaptation) 88 (Prosperous rural economy) 89 (Sites to meet local business and community needs in rural areas)	The policy identifies the Blackworth Employment Area, and the land to the north of it, as being a location suitable for sustainable economic growth. It identifies certain developments being acceptable/unacceptable in land use terms.
6	Community Facilities and Infrastructure	88 (Prosperous rural economy) 96 (Healthy, inclusive and safe places)	The policy identifies a number of facilities that are deemed important to those residents who live in the Neighbourhood Plan

		97 (Social, recreational and cultural facilities and services)	Area. It seeks to protect against the loss of existing facilities and supports the provision of new facilities.
7	Design	128 (Efficient use of land – density and character) 131 (Good design and sustainable development) 132 (Design policies) 134 (Local design guides and codes) 135 (Design requirements of development)	The policy supports well designed places, including identifying a number of key principles that must be considered in all forms of new development. This includes having due regard to the Highworth Design Guidance and Codes published by Highworth Town Council and the Conservation Area Appraisal and Management Plans published by Swindon Borough Council.
8	Landscape and Views	180 (Natural and local environment)	The policy seeks to protect the two Local Character Areas that cover the Neighbourhood Plan Area. This includes recognising important public views from specific locations into and out of the town of Highworth, including its designated status as an ancient hilltop town.
9	Open Space	102 (Network of open spaces) 103 (Loss of open spaces)	The policy identifies a number of open spaces that are deemed important to those residents who live in the Neighbourhood Plan Area. It seeks to protect against the loss of existing open spaces, and supports the provision of new open space in terms of quantity and quality. The policy requires due regard to be given to the Open Space Audit and Assessment, including any updates, published by Swindon Borough Council.
10	Local Green Space	105 (Local green space in Neighbourhood Plans) 106 (Local green space designation criteria)	The policy identifies 5 local green spaces that are deemed important to those residents who live in the Neighbourhood Plan Area. They have all been identified and designated in accordance with the criteria set out in the NPPF. The

		107 (Managing development in local green space)	policy requires proposals to have regard to maintaining the openness of the designation.
11	Sustainable Transport	104 (Public rights of way) 108 (Transport issues – identification, consideration and provision) 110 (Walking and cycling network provision) 112 (Car parking provision) 114 (Site access suitability for all) 116 (Pedestrians and cyclists)	The policy supports the use of sustainable modes of travel, in particular, walking, cycling and public transport. It seeks to protect the existing network of public rights of way (footpaths), and the provision of a new network of cycle routes.
12	Biodiversity and Nature Recovery	136 (trees) 180 (natural and local environment) 181 (locally designated sites) 185 (biodiversity and geodiversity)	The policy supports the network of green infrastructure within the Neighbourhood Plan Area. This includes protected and designated sites and features. The policy supports the provision of Biodiversity Net Gain through new development in accordance with the relevant regulations. It requires due regard to be given to the Nature Recovery Strategy published by Swindon Borough Council.

Source: Review made by the Chair of Planning Committee, Highworth Town Council

3. PROMOTION OF SUSTAINABLE DEVELOPMENT

3.1 Highworth Town Council approached Swindon Borough Council to confirm if a SEA and Habitats assessment would be required. The LPA confirmed they were not required and we could proceed to Regulation 14. A copy of the Borough Council written response is provided at Appendix A.

3.2 The NPPF requires plans to be based upon the presumption in favour of sustainable development to meet the development needs of their area, align growth and infrastructure, improve the environment, and mitigate climate change. It identifies Sustainable development as having economic, social and environmental objectives.

3.3 The Highworth Neighbourhood Plan 2 sets out policies to meet the requirement for sustainable development. This is illustrated in Table 4 below.

Table 4: The promotion of sustainable development in the Highworth Neighbourhood Plan 2

HNP2 policy	Economic Objective	Social Objective	Environ-mental Objective
1: Housing provision and mix			
2: Development and rural settlement boundary			
3 Highworth Town Centre			
4: Tourism, attractions and visitor accommodation			
5: Blackworth employment area			
6: Community infrastructure/facilities			
7: Design			
8: Landscape and views			
9: Open Space			
10: Local Green Space			
11: Sustainable transport			
12: Biodiversity and nature recovery			

Source: Highworth Neighbourhood Plan 2 (Table 1)

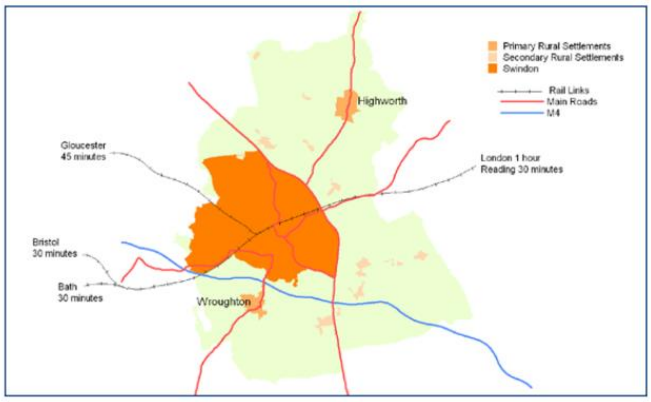
4. CONFORMITY WITH THE STRATEGIC POLICIES OF THE SWINDON LOCAL PLAN

4.1 The Highworth Neighbourhood Plan 2 has been prepared to ensure its general conformity with the strategic policies of the adopted Swindon Local Plan, which covers the period 2015 – 2026. In doing so, the Town Council has worked with Swindon Borough Council with the aim of ensuring that both authorities consider this basic condition has been fully met. In this regard, the Planning Practice Guidance (Paragraph 41-074) states that:

When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.*

4.2 The Swindon Local Plan (Policy RA1) defines Highworth as a Primary Rural Settlement in the Borough of Swindon. This is confirmed by the map of Swindon Borough (Figure 3) in the Swindon Local Plan and reproduced below for reference purposes.



Source: Adopted Swindon Local Plan (2015) (Figure 3)

4.3 The Highworth Neighbourhood Plan 2 has sought to add value to the Swindon Local Plan by refining some of its policies to better fit with the Neighbourhood Plan Area. An assessment of the general conformity of each policy, and its relationship with adopted strategic development policies in the Swindon Local Plan, is contained in Table 5 below, where applicable.

Table 5: Conformity with Strategic Policies in the Swindon Local Plan

NHP2 Policy	Policy Title	Strategic Policy in Swindon Local Plan	Commentary
1	Housing Provision and mix	SD2(e) Sustainable Development Strategy HA(1)(a) Mix, Types and Density HA(2) Affordable Housing HA(3) Wheelchair Accessible Housing	The policy seeks to fulfil the quantum of housing in the Swindon Local Plan Period. The Mix and Types of housing has been determined by a housing need assessment which meets local needs. The Policy states all development needs to be accessible through all life stages. The policy supports shared ownership in all housing schemes where affordable housing is required to be provided. This is deemed to be 30% for schemes over a certain threshold (site area/number of units).
2	Highworth's Development and Rural Settlement Boundary	SD1 Sustainable Development Principles SD2(c) The Sustainable Development Strategy SD3 Managing Development RA1 Highworth	The policy differentiates between the urban area of the town and the open countryside beyond it. The town of Highworth is identified as a sustainable location and community due to its range of facilities.
3	Highworth Town Centre	EC3(a)(c)(d)(e)(f) The Role of the Centres and Main Town Centre uses RA1(a) Highworth	The policy supports the vitality of the High Street by safeguarding shop fronts as commercial businesses and supports and seeks improvements to the Town Centre.
4	Tourism, attractions and Visitor Accommodation	EC1(b) Economic Growth through Existing Business and Inward Investment RA1 Highworth	The policy supports the improvement of the visitor experience, where new or improved facilities are bought forward, as it is a key employment sector.

5	Blackworth Employment Area	SD2(e) The Sustainable Development Strategy EC1 Employment Land and Premises EC2(a)(b)(d)(e) Economic Growth through Existing Business and Inward Investment RA1 Highworth	The Policy seeks to protect Blackworth Employment Area to light industrial as a key employment area within the Borough.
6	Community Facilities and Infrastructure	CM1(a)(b)(c)(d) Education CM2(a)(b) Active, Healthy and Safe Lifestyles CM3 Integrating facilities and Delivering Services CM4 Maintaining and Enhancing Community Facilities RA1 Highworth IN1 Infrastructure Provision	The Policy stipulates what criteria must be met within the local plan to protect existing facilities, in particular their loss. It also identifies infrastructure like GP services will be supported and infrastructure priorities to be delivered by developer contributions.
7	Design	DE1 High Quality Design EN10(c)(e) Historic Environment and Heritage Assets	The policy supports well designed places, including identifying a number of key principles that must be considered in all forms of new development. This includes having due regard to the Highworth Design Guidance and Codes published by Highworth Town Council and the Conservation Area Appraisal and Management Plans published by Swindon Borough Council.
8	Landscape and Views	EN5(a)(b) Landscape Character and Historic Landscape RA1 Highworth	The policy seeks to protect the two Local Character Areas that cover the Neighbourhood Plan Area. This includes recognising important public views from specific locations into and out of the town of Highworth, including its designated status as an ancient hilltop town.

9	Open Space	CM2(a) Active, Healthy and Safe Lifestyles EN3 Open Space	The policy identifies a number of open spaces that are deemed important to those residents who live in the Neighbourhood Plan Area. It seeks to protect against the loss of existing open spaces, and supports the provision of new open space in terms of quantity and quality. The policy requires due regard to be given to the Open Space Audit and Assessment, including any updates, published by Swindon Borough Council.
10	Local Green Spaces	CM2(a) Active, Healthy and Safe Lifestyles	The policy identifies and protects certain open spaces that are, because of their location and size, important to the local community for a range of social purposes.
11	Sustainable Transport	TR1(a) Sustainable Transport Networks TR2 Transport and Development RA1 (a) Highworth	The policy supports the use of sustainable modes of travel, in particular, walking, cycling and public transport. It seeks to protect the existing network of public rights of way (footpaths), and the provision of a new network of cycle routes.
12	Biodiversity and Nature Recovery	EN1 Green Infrastructure Network EN4 Biodiversity and Geodiversity	The policy supports the network of green infrastructure within the Neighbourhood Plan Area. This includes protected and designated sites and features. The policy supports the provision of Biodiversity Net Gain through new development in accordance with the relevant regulations.

			It requires due regard to be given to the Nature Recovery Strategy published by Swindon Borough Council.

Source: Review made by the Chair of Planning Committee, Highworth Town Council

5. CONFORMITY WITH ENVIRONMENTAL LEGISLATION AND OTHER MATTERS

5.1 The requirements in respect of Strategic Environmental Assessment (SEA) and Habitat Regulations assessment have been addressed in Section 3 of this Basic Conditions Statement. The detail can be found in the letter from the Borough Council (see Appendix A.

5.2 The Town Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in the process of preparing the Highworth Neighbourhood Plan 2 and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with people living in the neighbourhood Plan Area who could be affected by its policies and their views have been duly taken into account in finalising the Highworth Neighbourhood Plan 2.

5.3 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Highworth Neighbourhood Plan 2 does not include any policies in relation to the management of waste, nor does the Neighbourhood Plan Area include a waste management site. On that basis, this Directive is not considered relevant to the Highworth Neighbourhood Plan 2 and therefore cannot be breached.

5.4 In respect of Directive 2008/50/EC – the Air Quality Directive – the Highworth Neighbourhood Plan 2 does not include any policies that may indirectly relate to Air Quality. On that basis, this Directive is not considered relevant to the Highworth Neighbourhood Plan 2 and therefore cannot be breached.

6. CONCLUSIONS

6.1 This Basic Conditions Statement has been prepared in support of the Highworth Neighbourhood Plan 2 as part of its Regulation 15 submission to Swindon Borough Council. It has been prepared by the Neighbourhood Plan Chair, acting on behalf of Highworth Town Council, being the qualifying body.

6.2 This statement has shown that the Basic Conditions of the Highworth Neighbourhood Plan 2 are met.

APPENDIX A

Highworth Neighbourhood Plan 2

Habitats Regulations Assessment and Strategic Environmental Assessment

Screening Opinion

Prepared by Swindon Borough Council

on behalf of Highworth Town Council

March 2024

Contents

1. Background **Error! Bookmark not defined.**
2. Highworth Neighbourhood Plan **Error! Bookmark not defined.**
3. Nighbourhood Plan Changes **Error! Bookmark not defined.**
4. Updated HRA Context **Error! Bookmark not defined.**
5. SEA Screening Process and Conclusions **Error! Bookmark not defined.**

Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm

Background

1.1 This screening report is designed to determine whether or not the contents of the Highworth Neighbourhood Plan 2 – plan review document (hereafter known as 'HNP2') 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.

1.1 The Highworth Neighbourhood Plan 2015-2026 (HNP1) was made by Swindon Borough Council (SBC) on 13 July 2017. The made neighbourhood plan was prepared to be in conformity with the Swindon Borough Local Plan 2026 (adopted 26 March 2015). Since both plans were adopted, the National Planning Policy Framework (NPPF) has been updated several times and a new Local Plan is currently being prepared by SBC. The made neighbourhood plan is therefore in need of updating to account for these changes to the national and potentially the local plan context.

1.2 A Strategic Environmental Assessment and Habitats Regulations Assessment Screening Opinion was prepared in April 2016 (**Appendix 1**) which indicated that the Highworth Neighbourhood Plan 1 was not likely to have significant effects on the environment and therefore a SEA is not required. While the HRA assessment identified one internationally designated site within 15km of the neighbourhood plan area, due to the level of development proposed within the plan and outcomes from the Swindon Local Plan HRA at the time, it was not considered that the Highworth Neighbourhood Plan would require a HRA.

Highworth Neighbourhood Plan

2.1 The Town of Highworth is located approximately six miles to the northeast of Swindon. It is accessed from Swindon via the A361 or the B4019. As the name implies, it is located on a hilltop and there are long-distance views from the edge of the settlement in all directions. The 2021 Census recorded a population of 8,300 in 3.700 households. The Town Council covers the Town of Highworth and the immediate rural hinterland.

2.2 The Highworth Neighbourhood Area was designated on the 5th August 2013. The Neighbourhood Plan Area covers the whole of the Town Council administrative boundary. Highworth Town Council, as the qualifying body for the preparation of the Neighbourhood Plan, has delegated the responsibility for the Plans production to the Highworth Neighbourhood Plan steering group, made up of Town Councillors and members of the public.

2.3 The Neighbourhood Plan's vision for the revised plan remains the same: 'a future where everyone has the opportunity to live healthy and fulfilling lives, enjoying Highworth's rich cultural heritage and living in a safe, strong and supportive

community. Highworth will become a sustainable community offering lifestyle and work opportunities in an attractive environment; meeting the needs of residents, business partners and visitors. Recognising the importance of attracting wealth into our community and forging a future where poverty and exclusion have been removed'.

2.4 As required by national policy the plan needs to be in general conformity with the strategic policies contained currently within the Swindon Borough Council Local Plan 2011-2026. Policy SD2 of the Local Plan states that the quantum for development at Highworth will be at least 200 dwellings and 5 hectares of employment land for the plan period 2011-2026. The Local Plan allocates 5 hectares of employment land opposite the existing Blackworth Industrial Estate (part of which has been developed for a retail use). SBC housing monitoring data indicates completions of 181 units from 2010/11 to 2022/23 but a pipeline of forecast supply up to 2026 of xx units.

2.5 The Local Plan also contains a specific policy for Highworth. Policy RA1 states that:

"a. Development at Highworth shall be in accordance with Policies SD1 and SD2 and should support the following local priorities:

- *maintain the separate identity of Highworth as a hill top market town and respect its landscape setting;*
- *rejuvenation of Highworth Town Centre to create a lively, thriving and attractive focus for the town by:*
    - *maintaining and enhancing the character and function of Highworth Town Centre;*
    - *seeking that appropriate development contributes towards the improvement and unification of Highworth Town Centre and points of access to it;*
    - *preventing the loss of existing shops, services and facilities from Highworth Town Centre;*
    - *focusing shops, services and facilities at Highworth Town Centre in accordance with Policy SD2; and*
    - *improving the accessibility of Highworth by means of public transport, walking and cycling, and providing links to Swindon Borough's existing cycle infrastructure*
- *Support a sustainable market town economy for Highworth by:*
    - *supporting the expansion of existing business and encouraging economic development opportunities in accordance with Policy EC1;*

- *realising tourist potential, in the form of appropriate attractions and accommodation, as a historic market town and gateway to the Cotswolds; and*
- *improving the visual and physical appearance of the key points of access into the town.*

- *Prevention of significant adverse environmental impact.*
- *Provision of a range of social and recreational facilities.*
- *Protection and enhancement of the role of Pentylands Park, as defined on the Policies Map, as a place to visit for recreational purposes and related activities; and*

b. Land north of Blackworth Industrial Estate, as shown on the Policies Map, is allocated for B- Use Class employment use, with no more than 50% of it being used for B8-Use Class."

2.6 In addition to the Local Plan policies set out above, a number of other Development Management policies[1] will apply that seek to ensure that development proposals will be sustainable and not lead to significant effects (adverse or otherwise). Further to the outlined policy mitigation, the fourth bullet point under Policy RA1 specifically requires the "*Prevention of significant adverse environmental impacts*".

2.7 The supporting text for Policy SD2 states *"the Local Plan sets an approximate number of dwellings which, has been demonstrated through evidence, are broadly appropriate, in terms of scale and fit within the overall spatial strategy for the Borough, for Highworth, Wroughton and in total for the other villages in the Borough*". A key source of this evidence is the Sustainability Appraisal that accompanied the Local Plan[2].

2.8 HNP2 proposes to carry forward an allocation for residential development at Crane Furlong for approximately 42 dwellings and additional policy protection for employment land north of Blackworth employment estate, which is already allocated in the current Local plan. Section 3 below discusses in more detail the variations and changes from HNP1 and HNP2.

Neighbourhood Plan Changes

[1] For example Policies EN4 (Biodiversity and Geodiversity); EN5 (Landscape Character and Historic Landscape); EN6 (Flood Risk); EN7 (Pollution) and EN10 (Historic Environment and Heritage Assets).

[2] Available at http://ww1.swindon.gov.uk/ep/ep-planning/planningpolicy/ep-planning-localdev/Documents/Sustainability%20Appraisal%20%20Strategic%20Environmental%20Assessment%20%20-%20Sustainability%20Report%20and%20Appendices%20(Updated%20June%202013).pdf

1.1 The extent of modifications or changes to a Neighbourhood Plan falls under three processes as defined by the degree of change, set out under national planning policy guidance:

- **Minor (non-material) modifications** to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.

- **Material modifications which do not change the nature of the plan or order would require examination but not a referendum**. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.

- **Material modifications which do change the nature of the plan or order would require examination and a referendum**. This might, for example, involve allocating significant new sites for development.

Paragraph: 106 Reference ID: 41-106-20190509

1.2 **Appendix 2** sets of the key parts of the currently adopted neighbourhood plan and compares against the new local plan in development (pre-Regulation 14) as at January 2024. The broad conclusions being:

- The majority of the changes in the plan are of a material nature but do not change the nature of the plan.
- The plan is however for a significantly different and extended plan period and this may change the nature of the plan.

3.4 It is noted under paragraph 36 in HNP2 that SBC is progressing with a new Local Plan and has conducted a call for sites which is considered to leave the HNP2 in an *'uncertain position with regard to new housing development – its quantity, location, how it meets the need for new housing in the parish, and its basic infrastructure requirements'.*

3.5 Therefore taking together the new and extended plan period and the context in which the neighbourhood Plan is being taken forward, this opinion relates only to **the current stage of plan development** and may be returned to as the Neighbourhood Plan moves through its further regulatory stages and also noting

progress to be made on the production and development of the new Swindon Borough Local Plan for which further joint working and engagement is planned.

Updated HRA Context

1.3 This report is concerned with both HRA and SEA considerations. With regard to the former, it is important to establish whether or not the HNP2 requires a Habitats Regulations Assessment (HRA) in accordance with Article 6 (3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

1.4 A HRA is required when it is deemed that likely negative significant effects may occur on protected European Sites (Nature 2000 sites) as a result of the implementation of a plan/project. The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). This established a transition period, which ended on 31 December 2020. The Withdrawal Act (WA) retained the body of existing EU-derived law within our domestic law, meaning that legislation relating to nature conservation (section 4 of the WA) continued to apply to and in the UK post-Brexit.

1.5 The Retained EU Law (Revocation and Reform) Act received Royal Assent on 29th June 2023 and makes significant changes to the domestic body of 'retained EU Law'. Section 2(1) of the REUL Act will repeal and thereby remove the effect of section 4 of the WA from the end of 2023. Secondary legislation to preserve the direct effect provisions of the Habitats Directive has not yet been announced by the Government. The Environment Act 2021 acts as the UK's new framework for environmental protection.

4.4 Since the HRA of the Local Plan 2026 was concluded, further HRA Scoping, Screening and Appropriate Assessment was been undertaken to support the Local Plan Review 2036 (December 2019). This provides updated information relevant to protected sites. The Council has commissioned a new HRA scoping to support the production of the new Local Plan. The outputs from the updates are not yet available. Consideration of matters identified through the Local Plan HRA process since the adoption of the Local Plan 2026 are covered below:

North Meadow SAC

4.5 The HRA report recognised two main areas of concern relating to the North Meadow Clattinger Farm SAC: Water Resources and Quality; and Atmospheric Pollution.

4.6 The HRA report stated: '*At North Meadow Clattinger Farm SAC, the river water levels are important in order to maintain ground water conditions and vegetation thus it was identified that impacts on hydrology from increased levels of abstraction have the potential for likely significant effects. However, the Environment Agency assessment of the site considered the site to be of a favourable condition and*

indicated the level of development proposed within the Plan period would not have an adverse effect on the water levels that support the sites integrity'.

4.7 With regard to atmospheric (air) pollution the HRA Report stated '*The assessment concluded that air pollution in particular NO_x gases are a key concern if a road carrying a significant proportion of new traffic runs within 200 metres of the North Meadow Clattinger Farm SAC. The extension to the north and west of Swindon could increase traffic on the A419 however, the current conditions assessments for the site indicated that air pollution is not having an adverse effect on the site'.*

4.8 Since the adoption of the Local Plan 2026, Natural England have advised the Council that recreational pressures from visitors to the North Meadow site have increased and are now causing considerable damage to the wildlife value of the SAC. Work has been undertaken in 2022 to establish to establish where visitors to the site are originating from. This has resulted in a 'Zone of Influence' of 9.4km from the North Meadow SAC, within which residential or holiday accommodation would be screened in for an appropriate assessment. Exceptions are listed should the plan or programme trigger the requirement of an EIA (based on Annex 1 or 2 of the SEA directive).

4.9 The neighbourhood plan area is beyond the 9.4km Zone of Influence for North Meadow (approximately 12km to the South West). The Neighbourhood Plan does not propose any strategic scale triggering development and therefore the Neighbourhood plan is screened out.

4.10 The HNP2 has to be in general conformity with the Swindon Borough Local Plan 2026, the HNP2 does not allocate any new sites, rather sets an updated policy framework and reallocates an existing allocation site and re-confirms an existing employment site allocation, which would have been subject to due process through the development of the adopted Local Plan.

4.11 At this stage in the progression of the plan with its noted levels or growth and content it is not considered that HNP2 will require an additional HRA Assessment.

River Lambourn SAC

4.12 The River Lambourn SAC is currently subject to Nutrient Neutrality requirements. The Neighbourhood Plan area is not within the identified nutrient neutrality catchment for the River Lambourn SAC, and therefore can be screened out.

SEA Screening Process

1.6 The SEA Directive is a European Union requirement that seeks to provide a high level of protection of the environment and to integrate environmental considerations into the preparation and adoptions of certain plan and programmes. The Directive seeks to

promote sustainable development by ensuring that a SEA is undertaken where it is identified a plan may have a significant effect on the environment.

1.7 The UK left the EU on 31st January 2020. Under the UK-EU withdrawal agreement, a transition period ended on 31st December 2020, during which time all EU law continued to apply to the UK. During the transition period the UK needed to continue following domestic law that implements EU law, or directly applicable EU law that is given effect through the EUWA 2018.

1.8 Beyond the transition period, the SEA Regulations, which previously implemented the requirements of the SEA Directive in England, will continue to apply as before unless and until new legislation is introduced.

1.9 The Planning Practice Guidance states 'whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, where:

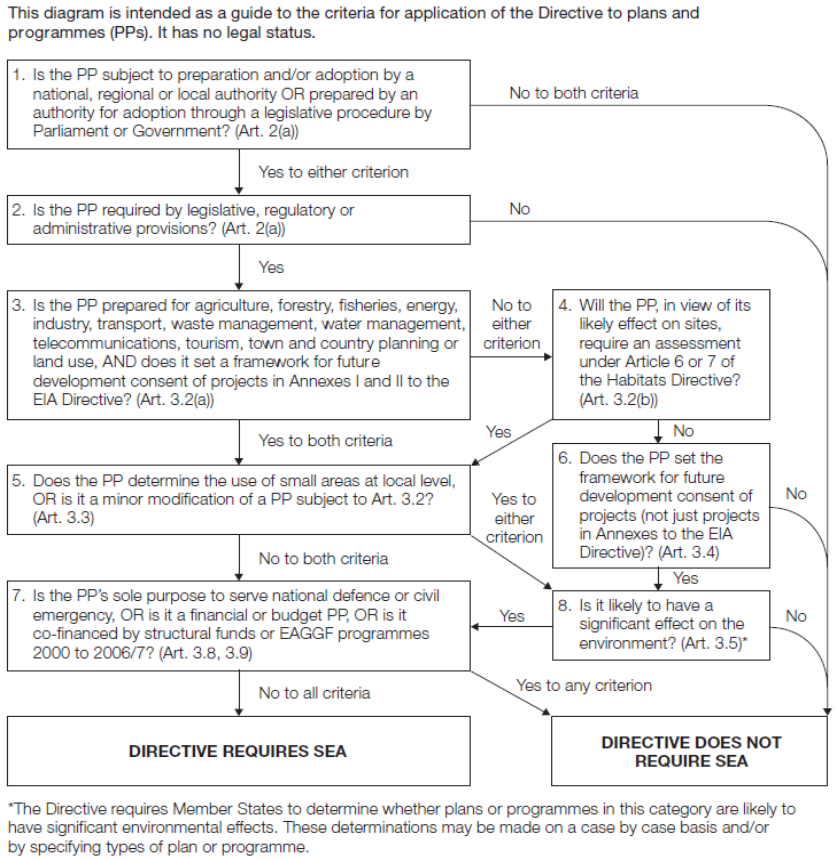
- A neighbourhood plan allocates sites for development
- The neighbourhood area contains sensitive natural heritage assets that may be affected by proposals in the plan
- The neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

1.10 The need for an SEA will be based on whether is determined that the contents of the HNP2 has the potential for environmental harm, the screening assessment does not determine the extent if any of this potential. It is for the SEA, if required to provide this detail.

5.6 The SEA screening opinion will be undertaken in two parts: the first part will assess whether the plan requires SEA (as per the flow chart, shown in figure 1); the second part of the assessment will consider whether the Neighbourhood Plan is likely to have a significant effect on the environment, using the criteria drawn from Schedule 1 of the EU SEA Directive and the UK Environmental Assessment of Plans and Programme Regulations 2004.

5.7 **Figure 1** below, from the government guidance 'A practical guide to the Strategic Environmental Assessment Directive' sets out the approach to be taken in determining whether a SEA is required.

Figure 1: Application Criteria of the SEA Directive



5.8 **Assessment 1** is detailed below which established the need for a SEA, based upon flow chart (**figure 1**) above.

Table 1: Assessment 1

Stage	Y/N	Reason
1. Is the Neighbourhood Plan (NP) subject to preparation and/or adoption by a national, regional or local authority, or prepared by authority for adoption through a legislative	Y	The Neighbourhood Plan is being prepared by Highworth Town Council (as the 'qualifying body') under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Once the Plan has been prepared, and subject to examination and referendum, it will be 'made' by Swindon Borough Council as the Local

procedure by Parliament or Government? [Art. 2(a)]		Planning Authority. The preparation of Neighbourhood Plans is subject to the following regulations: • The Neighbourhood Planning (General) Regulations 2012 • The Neighbourhood Planning (referendums) Regulations 2012 • The Neighbourhood Planning (General) (Amendment) Regulations 2015 • The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 • The Neighbourhood Planning (Referendums) (Amendment) Regulations 2016
2. Is the NP required by legislative, regulatory or administrative provisions? [Art. 2 (a)]	Y	The Neighbourhood Plan is not a requirement and is optional under the provision of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. However, once 'made' it forms part of the statutory Development Plan for the Borough and will be used when making decisions on planning applications.
3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? [Article 3,2(a)]	Y	The Neighbourhood Plan is prepared to set out a framework for town and country planning and sets a framework for future development consent in the neighbourhood area, within which projects in Annexes I and II of the EIA Directive may be brought forward. However, there are no projects that fall within the thresholds under Annex 1 and Annex 2 that are proposed through the Neighbourhood Plan.
4. Will the NP, in view of its likely effect on sites, require	N	See Section 4 above.

an assessment for future development under Article 6 or 7 of the Habitats Directive [art. 3.2 (b)]		
5. Does the NP determine the use of small areas at local level, OR is it a minor modification of a NP subject Art 3.2 [Art 3.3]	Y	The Neighbourhood Plan is expected to determine the use of small sites at a local level.
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? [Art 3.4]	Y	Once 'made', the updated Neighbourhood Plan will form part of the Development Plan for the Borough and will be used when making decisions on planning applications.
7. Is the NP's sole purpose to serve the national defence or civil emergency, OR is it financial or budget PP, Or is it co-financed by structural funds or EAGDD programmes 200 to 2006/7? [Art 3.8, 3.9]	N	Not Applicable
8. It is likely to have a significant effect on the environment? [Art 3.5]	N	See Assessment 2: Likely significant effects on the environment

5.9 **Assessment 2** is undertaken in accordance with the criteria for determining likely significance of effects on the environment. **Figure 2** below shows the criteria as set out in Article 3.5 of the SEA Directive.

Figure 2: Criteria for determining likely significance of effects on the environment

1. The characteristics of neighbourhood plans, having regard, in particular, to

   - The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions by allocation resources,
   - The degree to which the plan influences other plans and programmes including those in a hierarchy,
   - The relevance of the plan for integration of environmental considerations in particular with a view to promoting sustainable development,
   - Environmental problems relevant to the plan,
   - The relevance of the plan for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or waste protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

   - The probability, duration, frequency and reversibility of the effects,
   - The cumulative nature of the effects,
   - The trans boundary nature of the effects,
   - The risks to human health of the environment (e.g. due to accidents),
   - The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
   - The value and vulnerability of the area likely to be affected due to:
     - Special natural characteristics or cultural heritage,
     - exceeded environmental quality standards or limit values,
     - intensive land-use,
     - The effects on areas or landscapes which have a recognised national, community or international protections status.

.

5.10 **Table 2** outlines the results of the second part of the screening assessment based upon the criteria detailed in figure 2.

Table 2: Assessment 2

Criteria for determining the likely significant effects on the Environment	Is the HNP 2 Likely to have significant environmental effect?	Justification for Assessment
1. The characteristics of plans and programmes, having regard, in particular, to -		
a) The degree to which the Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	The updated Highworth Neighbourhood Plan as presently drafted would, if made, form part of the statutory Development Plan and as such does contribute to the framework for future development consent of projects. HNP2 currently proposes a very limited amount of new housing (which is essentially the roll-over of a site from the HNP1) within is below the EIA Schedule 2 threshold and the allocation of employment land which is allocated through the adopted local plan, which was subject to SEA.
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The HNP 2 must be in general conformity with the Swindon Borough Local Plan 2026 and the National Planning Policy Framework (NPPF). The HNP2 supports the implementation of higher tier policies, alongside local policies at the Neighbourhood Area level. Therefore, it is not considered to have significant influence on

		other plans or programmes or their effect on the environment. The new Local Plan is currently emerging, and is at an early stage in it's preparation. In line with Planning Practice Guidance, the local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan. However, it is anticipated that the HNP2, if adopted, would be in place prior to the adoption of the new Local Plan. Section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan. It does not influence other plans.
c) The relevance of the plan for integration of environmental considerations in particular with a view to promoting sustainable development.	No	The HNP2 contributes, as required, to the achievement of sustainable development at the Neighbourhood Area Level. The policy framework set out in the HNP2 is planned to have a positive impact on the local environmental assets and places valued by local people, with for example specific reference to nature recovery and biodiversity. The likelihood of significant effects on the environment is, therefore, minimised.

		The pattern of development promoted from the plan is not significantly different to the made HNP1 which was considered to support sustainable development.
d) Environmental problems relevant to the plan or programme; and	No	There are a number of sensitive local environmental receptors in the plan area including the Highworth Conservation Area, Listed Buildings, Wildlife Sites, main watercourses, areas of Flood Zone 2 and 3; however it should be noted that policies already exist within the Local Plan and the NPPF that seek to minimise harm to and protect and enhance these receptors. Additionally, Local Plan Policy RA1 specifically requires development proposals to prevent "significant adverse environmental impacts" in the Highworth area. Furthermore, the housing site considered and assessed during the Neighbourhood Plan-making process is located away from these sensitive receptors and avoids directly affecting them. The proposed employment site currently already forms part of the adopted local plan which was subject to evaluation including assessment regarding sensitive receptors, which means that the Neighbourhood Plan is not likely to result in a *significant* effect.
e) The relevance of the plan for the implementation of Community legislation	No	The HNP2 has to be in general conformity with the Swindon Borough Local Plan 2026. The Local Plan has to have regard to

	on the environment (e.g. plans and programmes linked to waste-management or waste protection).		European Community legislation on the environment and therefore this legislation will not be relevant for the Neighbourhood Plan.
2.	Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		
i.	The probability, duration, frequency and reversibility of the effects.	No	HNP2 is likely to have short-term effects resulting from activity associated with the development of the two allocated sites (one housing and one employment), so an element of environmental change will take place. However, the policy framework (including design code), seeks to ensure any housing future development is in keeping with the character of the village. The likely effects of employment land development were assessed as part of the Local Plan process.
ii.	The cumulative nature of the effects.	No	The quantum of new housing development set out in the new plan at this stage is below the quantum originally set out in the adopted Neighbourhood Plan. The HNP2 policy framework also seeks to protect the environmental assets of the parish which cumulatively are expected to have a neutral to positive effect on environmental assets
iii.	The trans-boundary nature of the effects.	No	The Highworth Neighbourhood Plan seeks to protect Highworth's distinctive character and the proposed developments and planning policies are unlikely to have any significant impacts on

			neighbouring areas. The impacts of the employment allocation site will have been assessed through the Local Plan process. Policies around Nature Recovery Network and biodiversity are likely to support a positive effect on transboundary matters regarding ecological networks.
iv.	The risk to human health or the environment (e.g. due to accidents).	No	The Crane Furlong site is within close proximity to a sewage treatment works and the Blackworth Industrial Estate. There is therefore potential for higher than usual noise and odour levels, which will need to be managed through further stages in the planning process. Local Plan Policy EN7 (Pollution) would apply to development proposals and if necessary mitigation measures would be required and agreed in accordance with the Council's environmental health advice. Although it cannot be guaranteed at this stage in the process, these measures are considered to reduce the likelihood of a *significant* effect occurring in terms of human health or the environment. The employment site north of Blackworth Industrial estate was subject to assessment at part of the adopted Local Plan.
v.	The magnitude and spatial extent of the effects (geographical area and size of the	No	The Highworth Neighbourhood Plan is only concerned with development within the designated Neighbourhood Area,

	population likely to be affected).		the population of the Town, is approximately 8300 residents.
vi.	The value and vulnerability of the area likely to be affected due to: ○ Special natural characteristic or cultural heritage; ○ Exceeded environmental quality standards or limit values; ○ Intensive land-use. ○ The effects on areas or landscapes which have a recognised national, community or international protection status.	No	In relation to the natural environment, the Neighbourhood Plan area is characterised by the town of Highworth, a hill top town surrounded by open countryside and an attractive landscape. One of the potential development sites is located outside of the Highworth settlement boundary and has the potential to have a visual impact on the immediate surrounding landscape. However the site was subject to assessment through the Local plan process. Local Plan Policy EN5 (Landscape Character and Historical Landscape) would apply, likely preventing any significant effect from occurring. In relation to the Historic and Cultural Heritage of the area, there are a number of listed buildings and a Conservation Area. The detail of the Conservation and some of the listed buildings can be found in the Highworth Conservation Area Appraisal. The Highworth Neighbourhood Plan does not propose to allocate sites within the Conservation Area and in fact proposes policies to retain the local character and qualities of the town; and additionally Local Plan Policy EN10 (Historic Environment and Heritage Assets) would apply, likely

		preventing any significant effect from occurring.

Conclusion

5.11 On the basis of the SEA screening assessment as set out in Tables 1 and 2 above, it is concluded that the HNP2 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 an SEA.

5.12 As noted in paragraphs 3.2-3.6 above the Neighbourhood Plan is at a particular stage of development and there are uncertainties as to the scale of future housing development to be taken forward more strategically in this area. The neighbourhood plan is also planning for new plan period. The conclusions of the SEA therefore only relate to the current HNP2 document as produced to date (pre-Regulation 14) and may be revisited as the plan progresses.

5.13 The SEA Regulations require the 'responsible authority' (Swindon Borough Council) to consult Natural England, the Environment Agency and Historic England before making a determination that the plan is likely to have significant environmental effects. This consultation has taken place through providing a draft screening opinion to the Statutory Consultees for their comment. The Statutory Consultees are in agreement with Swindon Borough Council that SEA is not required.

Commented [SH1]: This hasn't been done but will be circulated next week.

Appendix 1: Highworth Neighbourhood Plan – Final Strategic Environmental Assessment and Habitats Regulations Assessment Screening Option

See ATTACHMENT

Appendix 2: Neighbourhood Plans – Comparison of Key Elements

HNP1	HNP2	Notes on extent of change
Plan Period Current plan – 2015-2026	**Plan Period** New plan – 2022-2037	Considerable change with extended plan length Would significantly change the nature of the plan
Vision We see a future where everyone has the opportunity to live healthy and fulfilling lives, enjoying Highworth's rich cultural heritage and living in a safe, strong and supportive community. Highworth will become a sustainable community offering lifestyle and work opportunities in an attractive environment; meeting the needs of residents, business partners and visitors. We recognise the importance of attracting wealth into our community and forging a future where poverty and exclusion have been removed.	No change	No change

Policy 1 - Housing Provision Land at Crane Furlong and Redlands, as shown on Figure 5, is allocated for residential development. Development on these sites should take into account the guidance in the development briefs in Appendix 1 of this Plan. Proposals on these sites shall provide a mix of dwelling types for both affordable and open market dwellings to conform to the current evidenced housing need in Highworth in the briefs in Appendix 1 or the latest available survey. Residential development will be allowed on other sites within the settlement boundary in accordance with policy 3, below, and other policies in this Plan and the SBLP 2026. The Plan shall be monitored every three years by the Town Council in consultation with Swindon Borough Council with respect to the housing allocations and the ability to meet the Plan's housing targets, in a reasonable	**Policy 1 – Housing Provision and Mix** Introduces additional policy intent regarding specialist accommodation, adaptable housing, shared ownership. Dwelling mix in line with existing adopted strategic policy. Broadly integrates Policy 2 – Shared Ownership Affordable Housing from HNP1.	Current plan allocation dwelling number 42+70 = 112 New Plan – 42 units only Material modifications but would not significantly change the nature of the plan.

and consistent manner, through the Plan period. In the event that within 3 years of the date this Plan is made, it is not proven, by the grant of planning permission that the site at Crane Furlong is able to deliver the requisite number of dwellings to meet objectively assessed housing supply targets for the Plan area, the Plan shall be updated to demonstrate how the housing targets for the Plan area can be met.		
Policy 2 - Shared Ownership Affordable Housing When affordable housing is required under Swindon Borough Council's Local Plan 2026, Policy HA2, shared ownership housing shall be provided as part of the affordable housing provision in accordance with the evidenced demand at the time.	Integrated within Policy 1	No major change
Policy 3 - Development and the Rural Settlement Boundary Land enclosed within the red outline shown on Figure 5 is defined as	**Policy 2 – Highworth's Development and Rural Settlement Boundary** Land enclosed in the blue outline shown on	No changes proposed to the settlement boundary.

the settlement of Highworth. Within this defined area infill and other development consistent with planning policy in the development plan will normally be acceptable. Outside the defined settlement boundary land is defined as 'open countryside' and development here will not normally be permitted unless it complies with rural development policies in the Swindon Development Plan.	Figure 4 is defined as the settlement of Highworth. Within this defined area, infill and other development consistent with policies in the Development Plan will normally be acceptable. Outside the defined settlement boundary, land is defined as "open countryside" and development here will not normally be permitted unless it complies with rural development policies in the Swindon Development Plan.	
Policy 4 – Town Centre The town centre is defined as a Primary Rural Centre in the Local Plan (policy EC3) and the continuation and rejuvenation of its retail and social hub in the town is strongly supported. Traffic and other environmental improvements that enhance the pedestrian and visitor experience, commercial vitality and viability of the town centre will be sought.	**Policy 3 – Highworth Town Centre** Town centre boundary already defined in the LP – no change. Preservation / support for commercial uses. Notes changes to PD / GDPO. Café culture type policy (current policy 5) added.	Minor changes

Policy 5 - Proposals for Daytime Cafes and Restaurant Uses (A3) in the Primary Rural Centre Within the defined Primary Rural Centre daytime A3 uses (restaurants and cafes) will be encouraged, provided that A1 retail uses occupy at least 51% of the street frontage.	**Policy 4 – new policy promoting tourism, attractions and visitor accommodation**	New policy does not fundamentally change the nature of the plan.
Policy 6 – Rights of Way Network Development will be expected to protect and where appropriate extend and enhance the network of existing public rights of way in the Neighbourhood Plan Area as shown on Figures 9 and 10. Enhancement to include wherever possible making the paths accessible to those with special access needs and completing missing links in the network and severance due to traffic and other obstacles.		
Policy 7 – Potential Cycle and Recreational Routes	**Policy 11 – Sustainable Transport**	Would not materially change to

The disused railway shown as a potential railway path route on Figure 11 is to be protected within the neighbourhood plan boundary. Where a development proposal impacts on the route of the disused railway, upgrading of the surface and access will be required as part of that development proposal. The provision of a safe cycle facility and route alongside the A361 is encouraged as and when funds are available to strengthen safe cycle routes into and around Highworth and improve sustainable travel access to the countryside. Development proposals on the A361 should facilitate and provide this route as appropriate.	General update to policy	nature of the plan.
Policy 8 - Maintaining and Enhancing Community Facilities Proposals for new or extended community facilities and involving the loss of such facilities will be	**Policy 6 – Community Facilities and Infrastructure** Links to CM4 Additional referral to GP, NHS and burial space capacity	Update to existing policy area.

considered in relation to SBLP Policy CM4 and other relevant policies, including those in this Plan. Local facilities to which this policy relates have been identified as follows. This list is not exclusive. Highworth Recreation Centre Town Council Offices St Michael's Church Hall, old coach house. St Michael's Hall, Paradise Path Highworth Methodist Church United Reformed Church The Library Highworth Community Centre Youth and Community Centre Development proposals to sustain or extend the viable use of existing community facilities and the development of new facilities will normally be supported if they comply with other policies in the development Plan.		

Development proposals that will result in the loss, or significant reduction in the scale and value, of a community facility will not be permitted, unless alternative facilities of equal or better accessibility, size and suitability are provided. If it cannot be demonstrated that the operation of the asset is not in demand by the Community or no longer economically viable, and it has been marketed at a reasonable price for at least a year for that, or any other suitable community facility use and no interest in acquisition has been expressed, then alternatives may be considered.		
Policy 9 - Local Green Spaces The following areas shown on Figure 13 are designated as Local Green Space: 1. Village Green 2. Cemetery 3. Highworth Parish Church Churchyard 4. Sevenhampton Churchyard	**Policy 10: Local Green Spaces** Similar to existing policy	No material changes

Development on Local Green Spaces will be considered in the same manner as development in the Green Belt as explained in the National Planning Policy Framework (NPPF), section 9. This establishes a presumption of resisting most forms of development which is detrimental to the openness and character of the green spaces.		
Policy 10 - Open Space Public open space assets defined on the Figure 14 will be protected from development unless: it can be demonstrated that alternative provision can be made locally of equivalent or better size, quality and accessibility; or the proposed development is ancillary to the main use of the site and protects its public open space function; or the proposed development is subject to an Open Space	**Policy 9 – Open Space** Similar to existing policy.	No material changes

Appraisal to ensure it does not adversely affect local needs and/or existing quality of open space within the area in accordance with the Council's Standards, as set out in Appendix 3 (of SBLP 2026) and in the most recent Open Space Audit and Assessment; or when assessed against the Open Space Appraisal, the proposed development provides community benefit which outweighs the loss of open space. 1. The Golf Course 2. Recreation Ground Upper and Lower Fields 3. Pentylands Country Park 4. Swindon road allotments 5. Allotments adjacent to Highworth Golf Complex 6. Park Avenue Allotments 7. Haresfield Play Area 8. Crane Furlong Recreation ground 9. Highworth Community Centre Playing field 10. The Triangle 11. Priory Green 12. Sevenfields Entrance		

13. Newburgh Open Space 14. Home Farm Green Space 15. Sevenhampton Cricket Ground 16. Westrop Primary School 17. Southfields School 18. Highworth Warneford School 19. Town Green (adjacent to Parsonage Court)		
Policy 11 - Protection of Trees and Hedgerows Development proposals must seek to retain trees and hedgerows of amenity value whenever possible. Development proposals affecting trees and hedgerows must be accompanied by an arboricultural survey which justifies any felling in terms of the health of trees or danger presented by any tree as a result of its condition or position. Trees to be retained must be the subject of proposals for their protection during construction.	Partly integrated in new Policy 12.	

Policy 12 – Local Wildlife and Biodiversity Areas of local wildlife and biodiversity value will be protected and development that significantly harms or destroys the biodiversity and ecological value of the sites will not be permitted. County Wildlife Sites as shown on Figure 16 and listed below are areas of local wildlife and biodiversity value for the purposes of this policy shown on Figure 15. County Wildlife sites are: 1. Common Farm 2. Fresden Farm Verge 3. Highmoor Copse 4. Picketts Copse Where acceptable mitigation of potential damage is possible, development may be permitted subject to requiring mitigation and protection of the asset during development. New development is encouraged to include new areas of wildlife	**Policy 12 – Biodiversity and nature recovery** Includes para on hedgerows and woodlands.	Not a material change in plan focus / intent.

and biodiversity value where potential exists.		
Policy 13 – Locally Responsive Design Design of development proposals should take into account the following guidelines: □ Policies in the SBLP2026 in particular Policy DE1: High Quality Design; Policy DE2: Sustainable Construction: EN5: Landscape Character and Historical Landscape: Policy EN10 Historic Environment and Heritage Assets and the Swindon Residential Design Guide 2016 □ In Conservation areas the respective Conservation Area Appraisal and Management Plans will be an important reference in design assessments. □ The impact of development on landscape character and important views will be taken into account and resisted where it is unduly intrusive or unrelated to existing features; and	**Policy 7 – Design** Planning applications will be prepared in accordance with the Highworth Design Guidance and Codes. Builds upon an existing policy focus. **Policy 8: Landscape and views** The impact of development on landscape character and important views shown in Figures 9 and 10 will be taken into account and resisted where it is unduly intrusive or unrelated to existing features. More developed policy areas – originally outlines in previous policy 13.	Not a material change in plan intent / focus.

□ Boundary wall treatments are to preserve existing stone boundaries, and extend and reflect this local feature where possible; and □ The local building materials of stone and red brick are the preferred main elevation materials particularly development which is prominent in the public realm; and □ Where possible, new landmark native trees should be incorporated into soft landscaping of any development proposal; and □ Development should be designed to integrate well with the existing neighbourhood and work with the character and scale of existing buildings and the surrounding area; and □ Major development proposals will be expected to undertake design review at pre-application, outline or reserved mattes stage(s) as appropriate, by means of referral to the Swindon Design Review Panel; and □ All development should aim to maximize the energy		

efficiency of a building's performance, harvest and use rainwater efficiently and make use of renewable energy technologies where possible. □ The need to protect Regionally Important Geological Sites.		
Employment There is an Industrial park on the outskirts of the town (the Blackworth Industrial Estate) that has 32 small units and 9 larger industrial units, however there are no business premises for non-industrial business activities in the town. The Blackworth Industrial Estate is protected for industrial use by Policy EC2 of the SBLP, and land has been allocated to the north of it for an extension of the Industrial uses (Policy RA1).	**Policy 5: Blackworth employment area** The Blackworth employment area designated in Swindon Borough Local Plan policy EC2 is extended as indicated in Figure 7.	No change other than the introduction of a policy to cover an existing LP policy. The fundamental essence of the plan remains the same.