Highworth Neighbourhood Plan 2 2021-2036

Preliminary Questions from the Independent Examiner

Prepared by

JOHN SLATER BA(Hons), DMS, MRTPI, FRGS

John Slater Planning Ltd

15th April 2025

Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the modifications to the Highworth Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents. I visited the parish on Monday 14th April 2025.
2. As this is an examination of a modified neighbourhood plan proposal there are certain legal requirements that relate to modifications that do not apply to a neighbourhood plan undergoing examination.
3. These questions address whether all the legal requirements that relate to a modified neighbourhood plan have been complied with and these questions are, in the main, directed to the Borough Council which needs to be satisfied that the legal requirements have been met before the plan is submitted to examination although the Town Council may wish to contribute.

Question 1

4. Is the Borough Council satisfied that the Town Council, at Pre-Submission consultation stage has complied with the requirements of Regulation 14 (a)(v) of the Neighbourhood Planning (General) Regulations 2012 as amended by the Neighbourhood Planning (General) and Development Management Procedures (Amendment) Regulations 2017. This is , in respect of a modification proposal at its pre submission consultation and publicity stage, a requirement for "*a statement setting out whether or not the qualifying body considers the modifications contained in the modifications are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for such for why the qualifying body is of the opinion*"

Question 2

5. Does Swindon Borough Council consider that the Modification Statement prepared by the Town Council, dated September 2024, achieves that purpose, including the requirements set out in paragraph 1(3) b) of Schedule A 2 of the Planning and Compulsory Purchase Act 2004?

Question 3

Has the Town Council produced the required statement in respect of its submission to Swindon Borough Council as required by Regulation 15 (1) (f) which requires the submission of the same

statement to accompany its modification proposal's submission to the local planning authority?

Question 4

6. Has Swindon Borough Council prepared its submission pursuant to Regulation 17(e) of the Neighbourhood Planning Regulations 2012 as amended which is almost identical to the above?

Concluding Remarks

7. Upon confirmation of these various matters have been satisfactorily complied with, I can then, under the provisions of paragraph 10 (1 – 4) of the Article A2 of the Planning and Compulsory Purchase Act indicate how this examination will proceed.
8. At that point, I will t issue my Initial Comments document which will cover the planning questions that arise from my preliminary consideration of the modified plan and also from my site visit.
9. I am sending this note direct to Highworth Town Council and Swindon Borough Council. I would request that responses to these questions should be sent to me by 5 pm on **29th April 2025** and copied to the other party.
10. I would also request that copies of this note and the respective responses are placed on the Town Council's and Borough Council's websites.

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Independent Examiner to the Highworth Neighbourhood Plan 2