



PRCC.35 15/16

Committee: Prosperous
Communities

Date: 8 December 2015

E

Subject: Caistor and Nettleham Neighbourhood Plan Examination Decision Statements and Public Referendums

Report by:

Director of Regeneration and Planning

Contact Officer:

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Purpose / Summary:

To receive the report and recommend the agreement of both decision statements and proceeding to Public Referenda.

RECOMMENDATION(S): That Members: -

- (a) formally agree both decision statements as set out in Appendix 3 and 4; and**
- (b) agree to the commencement of Public Referenda in respect of both Caistor and Nettleham's Neighbourhood Plan.**

IMPLICATIONS

Legal: This work is a duty under the Localism Act 2011

Financial: Fin ref 103 -16 Additional financial contributions are available from DCLG to support Neighbourhood Planning costs. We are receiving this for the cost of examinations and public referenda
See section 5 for detailed information

Staffing : Neighbourhood Planning Officer and Elections Team

Equality and Diversity including Human Rights :
Both neighbourhood Plans have been independently examinations for their compliance with the regulations of which one is human rights and equality. Both Neighbourhood Plans passed this assessment.

Risk Assessment : n/a

Climate Related Risks and Opportunities : n/a

Title and Location of any Background Papers used in the preparation of this report:
<http://www.west-lindsey.gov.uk/residents/planning-and-building/planning-policy/neighbourhood-planning/>

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

Yes No

Key Decision:

Yes No

1 Introduction to Neighbourhood Planning

A Neighbourhood Plan is a statutory community-led framework for guiding the future development and growth of an area. It may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development.

Neighbourhood plans relate to the use and development of land and associated social, economic and environmental issues. It may deal with a wide range of issues (like housing, employment, heritage and transport) or it may focus on one or two issues that are of particular importance in a local area.

Neighbourhood Plans will be subject to full public engagement, examination and referendum and they will then form part of the Local Development Plan. This statutory status gives Neighbourhood Plans the same weight in the planning process as the Local Plan and far more weight than some other local planning documents, such as parish plans, community plans and village design statements.

2 The Neighbourhood Plan Area

Where there is a town or parish council, then that is the qualifying body for leading a Neighbourhood Plan in a designated neighbourhood area that includes all or part of the council's area. The first formal step in neighbourhood planning is the submission of the proposed neighbourhood area to the local planning authority for designation. The following must be submitted in the area application:

- a map identifying the proposed neighbourhood area;
- a statement explaining why the area is appropriate to be designated as a neighbourhood area;
- a statement explaining that the body making the area application (the parish or town council or prospective neighbourhood forum) is capable of being a qualifying body.

For town or parish councils, there is a strong presumption that the neighbourhood area will be the same as the parish boundary. However, they may choose a smaller and more focused area, such as a town or local centre, or an area beyond the parish's boundaries if that makes a sensible area to plan for. Adjacent parish/town councils may agree to work in partnership to produce a joint Neighbourhood Plan.

3 Further statutory stages in Neighbourhood Plan making

- The Independent Examination

It is the responsibility of the local authority (in West Lindsey's case the District Council) to organise and cover the costs of the independent examination and referendum. The independent examiner will be appointed by the District Council with the consent of the qualifying body.

The independent examination will consider the submitted documents and any comments made during the consultation period on the submitted plan proposal. The independent examiner will examine whether the plan meets the 'Basic Conditions' and other relevant legal requirements (e.g. consultation).

The independent examiner may recommend that the plan proceed to the referendum stage (i.e. it meets all the legal requirements) or may suggest that modifications are needed to the plan before it can proceed to the referendum. Or they may recommend that it does not proceed to the referendum, if it does not meet the relevant legal requirements.

Both examiners reports are available to view in **Appendix 1** and **2**

- Modifications

The District Council must make modifications to the plan if, with those modifications, the plan could comply with the Basic Conditions. The local community may withdraw the plan if it is unhappy with modifications being made. WLDC must produce a 'Decision Statement' – identifying what recommended modifications they have either accepted or not accepted and states the reasoning.

WLDC has produced a Decision Statements for both Caistor and Nettleham, as part of this report in **Appendix 3** and **4** and are seeking approval from members. These Decision Statements outline the recommended modifications by the examiner and identify areas where WLDC has disagreed/ agreed with the examiners recommendations. The Decision Statements also outline reasoning as to why these decisions have been made and whether they impact the basic conditions.

The final amended Plans will be the ones the public vote on in the referendum.

Referendum

The District Council must arrange for a referendum to take place. It must give at least 28 working days notice of the referendum before the date of the referendum. The qualifying body may campaign before the referendum, subject to rules over expenses. If more than 50% of those voting in the referendum vote 'yes', then the council will bring the plan into legal force.

Both Caistor and Nettleham's Public referendums are scheduled to take place on Thursday 28th January 2015. The Count is organised for the Friday 29th January, where the results will officially be announced.

We are seeking approval from members in order to proceed to public referenda.

4 Financial Implications

West Lindsey are able to retrospectively claim financial assistance for work incurred in assisting communities to bring forward Neighbourhood plans; in particular for the 3 statutory stages of: designation, examination and referendum.

£30k is currently available for each plan, but this will be reviewed by DCLG on a year by year basis and WLDC can apply for this during each quarter of the financial year.

According to our current accounts, we have 36,000 available to spend on Neighbourhood Planning support, which includes that of the examination and public referendum. WLDC can claim for an additional 55,000 during Q4 of 2015.

5 Staffing implications

The Neighbourhood Planning Officer (Luke Brown) has been assisting the parishes with their Neighbourhood Plan preparations. Extra resources may be needed if further communities seek to prepare a Neighbourhood plan.

CAISTOR NEIGHBOURHOOD PLAN

Caistor Neighbourhood Plan Examination,
A Report to West Lindsey District Council

by Independent Examiner, Nigel McGurk BSc(Hons) MCD MBA MRTPI

Nigel McGurk

Erimax Land, Planning and Communities

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July 2015

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1. Introduction

The Neighbourhood Plan

This Report provides the findings of the examination into the Caistor Neighbourhood Plan (referred to as the Neighbourhood Plan).

Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”
(Paragraph 183, National Planning Policy Framework)

Caistor Town Council is the *qualifying body*¹ responsible for the production of this Neighbourhood Plan. This is in line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).

This Examiner’s Report provides a recommendation as to whether or not the Neighbourhood Plan should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Plan would be *made* by West Lindsey District Council. The Neighbourhood Plan would then be used to determine planning applications and guide planning decisions in the Caistor Neighbourhood Area.

Role of the Independent Examiner

I was appointed by West Lindsey District Council, with the consent of Caistor Town Council, to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience. I am a chartered town planner and an experienced Independent Examiner of Neighbourhood Plans. I have extensive land, planning and development experience, gained across the public, private, partnership and community sectors.

As the Independent Examiner, I must make one of the following recommendations:

- a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Neighbourhood Plan, as modified, should proceed to Referendum;

¹The qualifying body is responsible for the production of the Plan.

- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether or not the Referendum Area should extend beyond the Caistor Neighbourhood Area to which the Plan relates.

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

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

Subject to the contents of this Report, I am satisfied that all of the above points have been met.

Neighbourhood Plan Period

A neighbourhood plan must specify the period during which it is to have effect. The title page of the Neighbourhood Plan states that it covers the period 2011-2031. The Foreword and Para 1.2 of the Neighbourhood Plan Period also refer to the plan period up until 2031. Para 1.4 of the Basic Conditions Statement provides an additional, relevant reference.

Taking the above into account, I confirm that the Neighbourhood Plan satisfies the relevant requirement in this regard.

Public Hearing

According to the legislation, *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.

However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.

Further to consideration of the written representations submitted, I confirmed to West Lindsey District Council that I was satisfied that the Caistor Neighbourhood Plan could be examined without the need for a Public Hearing.

2. Basic Conditions and Development Plan Status

Basic Conditions

It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*² following the Localism Act 2011. In order to meet the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the Neighbourhood Plan against all of the basic conditions above.

Page 24 of the Neighbourhood Plan refers to the Basic Conditions. Whilst I provide detailed comments on this, in part 5) of this Report, the Introductory Section, below, I note here that Page 24 states that the Regulations require a neighbourhood plan to have “appropriate regard” to national policies and advice contained in the National Planning Policy Framework. This is not quite the case. For clarity, Paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 states

“A draft order meets the basic conditions if – (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.”

In attempting to paraphrase the relevant part of the Town and Country Planning Act 1990, the term “appropriate regard” has been introduced. In addition, no reference is made on page 24 to the requirement for a neighbourhood plan to have regard to national advice.

However, the Basic Conditions Statement submitted alongside the Neighbourhood Plan does provide a correct summary of the Basic Conditions. Given this, I am satisfied that the reference in the Neighbourhood Plan is simply a mistake arising from paraphrasing.

Whilst this mistake highlights that care should be exercised whenever paraphrasing legislation, I am mindful that neighbourhood planners, by their very nature, tend not to be professional planners. There are examples – especially in neighbourhood planning - of where the “experts,” whether planners, lawyers or other practising professionals, have failed to properly grasp legislation. Given this, it is unreasonable

² Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.

to expect neighbourhood planners to get everything right all of the time. Importantly, in this regard, I note that it is the Independent Examiner's role to consider whether or not the Neighbourhood Plan meets the Basic Conditions.

As above, I address these matters in part 5) of this Report, below.

European Convention on Human Rights (ECHR) Obligations

I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.

European Union (EU) Obligations

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal³. However, it is good practice to assess neighbourhood plan proposals to determine whether or not the plan is likely to have significant environmental effects. This process is referred to as a "screening assessment." If the screening assessment identifies likely significant effects, then an environmental report must be prepared.

The Basic Conditions Statement confirms that the Neighbourhood Plan Steering Group submitted a request for a formal screening opinion to West Lindsey District Council. The screening opinion was sought to determine whether a Strategic Environmental Assessment was required, together with an opinion on whether the Neighbourhood Plan is compatible with European Habitat Regulations.

The Basic Conditions Statement goes on to confirm that West Lindsey District Council concluded that the Neighbourhood Plan is not likely to have significant effects on the environment. It states that West Lindsey District Council also concluded that none of the Neighbourhood Area is within a sensitive area and I note that there is no suggestion from any party that any European sites would be affected by the Policies of the Neighbourhood Plan.

Taking the above into account, there is nothing to lead me to conclude that there was any requirement to undertake either a Strategic Environmental Assessment or a Habitats Regulations Assessment.

Whilst there is no legal requirement for a neighbourhood plan to have a sustainability appraisal, I note that one of the supporting documents submitted with the Neighbourhood Plan comprised a Sustainability Appraisal. This is a helpful

³ Paragraph 026, Planning Practice Guidance 2014.

document that measures each of the Policies of the Neighbourhood Plan against specific criteria and which concludes that their impacts will be largely positive.

I note that, in providing a detailed response to the submitted Neighbourhood Plan, West Lindsey District Council states that “the Plan is positive in its approach and WLDC is happy for it to proceed to examination.” No issues are raised with regards compatibility with European obligations, a relevant point given that

“the local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations.” (Planning Practice Guidance 11-031)

Taking all of the above into account, I am satisfied that the Neighbourhood Plan is compatible with EU obligations.

3. Background Documents and Caistor Neighbourhood Area

Background Documents

In undertaking this examination, I have considered various information in addition to the Caistor Neighbourhood Plan. This has included:

- National Planning Policy Framework (The Framework) (2012)
- Planning Practice Guidance (2014)
- Town and Country Planning Act 1990 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning Regulations (2012)
- The West Lindsey Local Plan (2006) (the adopted Local Plan)
- Basic Conditions Statement
- Consultation Statement
- Sustainability Appraisal

Also:

- Representations received during the publicity period

In addition, I spent an unaccompanied day visiting the Caistor Neighbourhood Area.

Caistor Neighbourhood Area

A plan showing the boundary of the Caistor Neighbourhood Area is provided on page 9 of the Neighbourhood Plan. However, the plan is incorrectly labelled, as the Neighbourhood Area also includes an area within Cabourne Parish. For clarity, I recommend:

- **Change the title of the plan on page 9 to “Caistor Neighbourhood Area”**

Further to an application made by Caistor Town Council, West Lindsey District Council approved the designation of Caistor as a Neighbourhood Area, the boundary of which is defined on the above plan, on 3 September 2013.

This satisfied a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

4. Public Consultation

Introduction

As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.

Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a successful 'Yes' vote at Referendum.

Caistor Neighbourhood Plan Consultation

Caistor Town Council submitted a Consultation Statement to West Lindsey District Council. This document, including its appendices, sets out who was consulted and how, together with the outcome of the consultation. In this regard, the Consultation Statement meets the requirements of the neighbourhood planning *regulations*⁴.

Taking into account the evidence provided, I am satisfied that the production of the Neighbourhood Plan was supported by robust public consultation. It is clear that the views of the wider community were actively sought and taken into account. It is also clear that Caistor Town Council undertook public consultation above and beyond that required by legislation.

In May 2012, the Neighbourhood Plan Steering Group, created to progress the Neighbourhood Plan on behalf of Caistor Town Council, presented a vision statement for Caistor, based on the results of previous consultation events. More than 160 local residents and business representatives were invited to attend the event and responses to the presentation were submitted. A further seven members of the Steering Group were recruited during the event.

A further consultation event, in December 2012, provided the local community with an opportunity to consider and provide feedback on emerging policies. A further policy feedback event, attended by around 70 people, took place in August 2013. Together, these two events provided for significant community input.

The pre-submission plan underwent a six week statutory consultation period in November and December 2013. The consultation was advertised in the Grimsby Telegraph and the Market Rasen Mail and an abridged version of the plan was posted to each household within Caistor. The document referred people to the full plan, which was available on the Caistor.net website.

⁴Neighbourhood Planning (General) Regulations 2012.

During this time, a business engagement event was held, to encourage local businesses to take part in the consultation; and an additional engagement event was held at the Caistor Christmas Food Fair. Issues raised during consultation were considered and where appropriate, alterations made to the plan.

The Consultation Statement notes that a number of additional meetings were held - with landowners, Cabourne residents, schools and the health centre, during the preparation of the plan. The Steering Group met regularly and all of its meetings were minuted.

Taking the above and other information provided in the Consultation Statement into account, it is evident that Caistor Town Council actively sought comments throughout the plan-production period. The consultation process was publicised, via the Caistor.net website, through the use of posters, by advertisements in local newspapers, through social media, and by letters of invitation.

The Consultation Statement presents an audit trail to demonstrate that consultation was wide-ranging, comprehensive and transparent. It was well-publicised and comments were duly considered. There is evidence to demonstrate that the Neighbourhood Plan reflects the views of local people.

Consequently, I am satisfied that the consultation process was significant and robust.

5. The Neighbourhood Plan – Introductory Section

Where modifications are recommended, they are presented as bullet points and highlighted in bold print, with any proposed new wording in italics.

The policies of the Neighbourhood Plan are considered against the basic conditions in Chapter 6 of this Examiner’s Report. I have also considered the Introductory Section of the Neighbourhood Plan and make recommendations below - these are aimed at making it a clear and user-friendly document.

One of the most striking things about the Neighbourhood Plan is its overall design and in particular, the copious use of interesting and beautiful photographs. This approach has been extended to the supporting documents, submitted together with the Neighbourhood Plan. It results in an exceptionally attractive and visually interesting suite of documents. Clearly a great deal of time and effort has been spent on the design and production of the Neighbourhood Plan. The impressive result of this is clear to see and it is to be very highly commended.

The Contents are neatly and succinctly presented on one page and the introduction from the Mayor sets the scene for the Neighbourhood Plan in a positive manner.

Due to its focus on other planning matters, separate from the Neighbourhood Plan, the “Why do we have a plan” section is confusing. It contains out of date information, and to some considerable degree, details relating to things that haven’t happened and which lack direct relevance to the Neighbourhood Plan. This opening section should be much clearer, to provide for an appropriate introduction. I recommend:

- **Page 5, first line, change “were” to “was”**
- **Page 5, delete paragraphs 3 to 6, inclusive (from “The Neighbourhood...” to “...planning policy.”)**
- **Page 5, delete paragraphs 8 to 13, inclusive (from “With the progress...” to “...address those issues.”)**
- **Page 5, penultimate paragraph, first line, delete “...demonstrates how...”**
- **Page 5, last paragraph, second line, add “...vision *and* provides...”**
- **Page 5, last line, delete “...and demonstrates...policy.” (place full stop after “town.” in line above)**

The “Let us set the scene” section is highly informative and provides plenty of relevant and useful background information about the Neighbourhood Area. There are a small number of unnecessary and confusing references to other areas outside the Neighbourhood Area. I recommend:

- **Page 6, final paragraph, delete and replace with “*The following data is taken from the 2011 Census:*”**
- **Page 7, first bullet point, end at “...was 2674.” (delete the following two lines)**
- **Page 7, delete the third bullet point**
- **Page 7, under Social Profile, first bullet point, delete “...and Swallow...”**
- **Page 7, second bullet point, end at “...1 dimension.” (delete following 3 lines)**

The first paragraph of the “Neighbourhood Plan Area and Qualifying Body” repeats information and includes unnecessary detail. Legislation uses the definition “Neighbourhood Area” rather than Neighbourhood Plan Area. For clarity, I recommend:

- **Page 8, delete first paragraph**
- **Page 8, change the two references to “Neighbourhood Plan Area” in the title and the penultimate paragraph to “*Neighbourhood Area*”**

I have recommended, previously in this Report, that the title of the plan on page 9 is also altered.

The next section is entitled “Land use and housing profile.” It includes a number of plans. The opening sentence contains unnecessary references to other Parishes. I recommend:

- **Page 10, change first bullet point to “*there are no recorded shared dwellings in Caistor.*”**

The following paragraph appears long-winded and sets out information repeated later. It also refers to constraints, whereby the information that follows largely relates to land uses. I recommend:

- **Page 10, delete the first paragraph underneath the first three bullet points and replace with “*The Neighbourhood Plan has considered the following land uses in particular:*”**

The first sentence of the Green infrastructure paragraph makes little sense in planning terms. I recommend:

- **Page 10, Green infrastructure, first sentence, change to “...that are either designated for environmental purposes or provide recreational facilities.”**

The Heritage Assets paragraph is unclear. I recommend:

- **Page 10, Heritage assets paragraph, change to read “...of the town is a major asset. The Heritage Assets plan shows the Conservation Area and Listed Buildings within the town.” (delete last sentence)**

The Housing land allocations section is wholly confusing and misleading. The Neighbourhood Plan does not allocate any land. The Strategic Housing Land Availability Assessment (SHLAA) quoted does not allocate any land. The “Possible Sites for Housing Allocations” plan is as meaningless as it is confusing. It does not allocate land. Both this paragraph and the related plan simply cause confusion and at worse, provide misleading information. They detract severely from the Neighbourhood Plan. I recommend:

- **Page 10, delete the Housing land allocations paragraph**
- **Page 16, delete the Possible Sites plan**

The Development constraints paragraph is confusing. It provides reference to a general land use plan, rather than one that contains comprehensive coverage of constraints to development.

- **Page 10, delete final paragraph and the paragraph in small font underneath it**

The “Employment Land Review” plan is entirely unclear. It adds nothing to the Neighbourhood Plan.

- **Delete the plan on page 11**

The Keys for the plans on pages 12 – 15 and page 17 are so small as to be practically illegible. As such, the inclusion of the plans makes little sense.

- **Enlarge the Keys for the plans on pages 12-15 and 17, so that all text is clearly visible to the naked eye**

The Economic profile section provides interesting and useful background information. The introductory sentence is confusingly worded. I recommend:

- **Page 18, change first sentence to “Many of Caistor’s workers are engaged in Wholesale and...”**

As referred to above, a Consultation Statement was submitted in support of the Neighbourhood Plan. There is no need to repeat the information provided. Furthermore, the Consultation and engagement section in the Neighbourhood Plan includes incorrect and outdated information. I recommend:

- **Pages 20 and 21, delete all text, including boxed text. Replace with *“The Neighbourhood Plan has emerged through significant public consultation. In line with legislation, a Consultation Statement was submitted in support of this Neighbourhood Plan. This can be viewed on the Town Council’s website, Caistor.net, or can be requested from the Town Council.”***

The Vision Statements provide a direct link between the aspirations of the community and the Policies that follow. A number of the titles refer to “Vision Statement,” however, there are six statements. I recommend:

- **Change titles on page 22 and 23 to *“Caistor Vision Statements”* and change third word of first line on page 22 to *“statements”***
- **Page 22, second paragraph delete the confusing and unnecessary second sentence (*“...This version is a refinement...Framework.”*)**

It is the role of the independent Examiner to consider the Neighbourhood Plan against the Basic Conditions. The title “Assessment of General Conformity” is inappropriate – it simply relates to just part of one basic condition, whereas this section of the Neighbourhood Plan is concerned with wider issues. I recommend:

- **Replace title on page 24 with *“Basic Conditions”***
- **Page 24, insert new introductory sentence *“In accordance with legislation, a Basic Conditions Statement was submitted alongside this Neighbourhood Plan. This confirmed that, in the view of the Town Council, the Neighbourhood Plan met all of the Basic Conditions as required by legislation.”***

The first bullet point on page 24 misquotes legislation. I recommend:

Page 24, first bullet point, change to *“Has regard to national policy and advice”*

Page 24, for grammatical reasons, change the first word of the third and fourth bullet points from *“Be”* to *“Is”*

The following paragraphs on page 24 are confusing. They refer to emerging policy (against which the Neighbourhood Plan is not examined) and include reference to an anonymous opinion. As I recommend that much of the content of pages 24-26 inclusive be deleted, there is no need to include separate sub-titles. I recommend:

- Delete the four paragraphs below the bullet points on page 24 (from “An assessment...” to “...human rights.”)
- Delete the title “National Planning Policy Framework” on page 24 and replace the “NPPF” reference below it with “*National Planning Policy Framework*”
- Delete the final paragraph on page 24 (“The Plan has been subjected to...”)

There is no need to repeat information from the Sustainability Appraisal submitted alongside the Neighbourhood Plan. Without the detailed information contained in the rest of the Sustainability Appraisal, the table included in the Neighbourhood Plan is largely meaningless. I recommend:

- Page 25, delete the title “Contributes...”
- Page 25, delete the table and table key
- Page 25, delete the first sentence “The Plan is considered...”
- Page 25, re-word second paragraph “*A Sustainability Appraisal was carried out to assess the impact of the policies of the Neighbourhood Plan against a wide range of sustainability indicators. The Sustainability Appraisal was submitted alongside the Neighbourhood Plan and can be viewed on the Town Council website, Caistor.net, or can be requested from the Town Council.*”
- Page 25, delete the third paragraph of this section, which refers to emerging policy.

The General conformity section is highly confusing and contains much irrelevant information, based upon consideration of the Neighbourhood Plan against an emerging document. I note that it is not at all unusual for a Neighbourhood Plan to come forward whilst a Local Plan is under preparation. The dynamic nature of planning is such that the plan-making process tends to be ongoing. I recommend:

Delete the title and all text, on pages 25 and 26 under “General conformity...”

- Replace with “*The Basic Conditions Statement assesses the Neighbourhood Plan’s conformity with the strategic policies of the adopted Local Plan.*”
- Page 26, delete the title “Compatibility with European legislation”
- Under this section, first paragraph, fourth line, replace “Sustainable” with “*Strategic*”

6. The Neighbourhood Plan – Policies

As presented, each Policy in the Neighbourhood Plan is followed by a section setting out how, in the view of the plan-makers, the Policy is supported. This supporting section tends to include a single reference to the Framework, an occasional reference to the adopted Local Plan and multiple references to emerging policies and related information.

None of this information is necessary and some of it is not relevant. I find that the inclusion of this section underneath each Policy severely detracts from the impact of the Policy and its supporting text. In so doing, it draws attention away from the most important part of the Neighbourhood Plan. Its inclusion may have provided some helpful background during the plan-making stage, but I find it inappropriate to retain it in the Neighbourhood Plan. I recommend:

- **Delete the “This policy is supported by...” section underneath every Policy in the Neighbourhood Plan**

Also included underneath each Policy is a Monitoring Indicator and a Target. On consideration of these, I find both the Indicators and Targets to include vague and subjective references. Furthermore, it is not clear who will undertake the monitoring and when, and how any such information will be used. Again, I find that the inclusion of these detracts attention away from the Policies and supporting text.

In addition to the above, the introductory text to the Policy section provides unnecessary information and given the changes recommended below, can be made more concise.

I recommend:

- **Delete the Monitoring Indicator and Target sections underneath every Policy of the Neighbourhood Plan**
- **Delete the second, third and fourth paragraph of text and the indicative box under the title “Policies” on page 28.**

Policy No. 1: Growth and the presumption in favour of sustainable development

This is a positive Policy. It has regard to national policy's presumption in favour of sustainable development, as set out in the Framework, and promotes positive engagement. In this way, in general, the Policy meets the basic conditions.

However, it is not clear how community engagement will, or can, "ensure that new development improves the economic, social and environmental conditions in the town." As such, this is an onerous requirement and no evidence has been presented to demonstrate that it has regard to national policy and advice. Similarly, there is nothing before me to demonstrate that according with the agenda for growth will "ensure community support and backing" as suggested in the Policy. I recommend:

- **Policy 1, second paragraph first line, change to "*Developers and applicants should demonstrate how...*"**
- **Policy 1 second paragraph third line, change to "*...Town Council and other community groups and/or residents directly affected by their proposals.*" (delete any remaining text to end of paragraph)**
- **Policy 1, third paragraph, delete second sentence ("Planning applications...backing.")**
- **Supporting text, delete first and fourth bullet points**

Policy No. 2: Type, scale and location of development

Policy 2 is also a positive Policy that supports sustainable growth, having regard to the Framework. In this way, it contributes to the achievement of sustainable development and meets the basic conditions.

However, as worded, Policy 2 applies to all development. It is clear that the requirements of Policy 2 would be unduly onerous if applied to most development. As the Policy is seeking to ensure that major development should help to meet local needs, this should be made clearer in the context of the whole Policy.

There is no need for Policy 2 to repeat the requirements of other Policies in the Neighbourhood Plan or the Development Plan. I note that the phrase "address good principles of travel planning" is undefined and as such, fails to provide any clarity.

The term "preserve or enhance" is most commonly associated with heritage assets, rather than with the amenity of existing residents. It may be particularly difficult to demonstrate how development enhances any or all aspects of residential amenity. The Policy also includes reference to "appropriate provision of community and environmental protection" as something that is defined in "the Statutory Development Plan" but does not define it. The Neighbourhood Plan, if made, would

form part of the statutory development plan for the area and its Policies should not include vague, undefined references.

Taking all of the above into account, I recommend:

- **Policy 2, delete the second sentence (“Major new...needs.”)**
- **Policy 2, third sentence, insert “Planning applications *for major new development, as defined in national policy and advice, should be...development. Major new development should:*”**
- **Policy 2, delete second bullet point**
- **Policy 2, third bullet point, replace “properties” with “*buildings*”**
- **Policy 2, delete fourth bullet point**
- **Policy 2, sixth bullet point, replace “preserve or enhance” with “*safeguard*”**
- **Policy 2, delete seventh bullet point**
- **Policy 2, ninth bullet point, delete “as defined...Plan”**
- **Policy 2, tenth bullet point, delete “...where all..are met”**
- **Policy 2, last bullet point, delete “...where proposals...Plan.”**
- **Supporting text, second paragraph, delete “The distance has also...modes.”**
- **Supporting text, third paragraph, delete “...or sites allocated...documents.”**
- **Supporting text, last paragraph, delete “The importance of...growth” and delete “The Central...process.”**

Policy No. 3: Design quality

Good design is recognised by national policy as comprising a key aspect of sustainable development, indivisible from good planning. National policy requires good design to contribute positively to making places better for people (National Planning Policy Framework Para 56).

This Policy sets out detailed design criteria aimed at promoting good design quality. In this way, it has regard to the Framework, contributes to the achievement of sustainable development and meets the basic conditions.

It is unduly onerous to expect all development proposals to provide a detailed design assessment, or to justify itself against all the criteria set out in Policy 3. For example, many applications are for small changes – for example, household extensions. The Framework is clear in requiring that only supporting information that is relevant, necessary and material to the application in question should be requested (Para 193). Similarly, it is not entirely clear how, or whether, all new development can reflect the character of the town. For example, is it possible or desirable for new telecommunications infrastructure to reflect the character of the town ?

The terms “community spirit,” “regimented” and “socially isolated” are undefined in the Neighbourhood Plan and as such, appear as subjective terms that do not provide decision makers with a clear indication of how to react to a development proposal, as required by paragraph 154 of the Framework.

I recommend:

- **Policy 3, change opening sentence to “*Proposals for all new development must be of a high quality.*”**
- **Policy 3, delete second and third sentences**
- **Policy 3, first bullet point, change to “*Wherever possible, development should be designed to...*”**
- **Policy 3, delete “community spirit”**
- **Policy 3, second bullet point, insert “the natural *environment* and...”**
- **Policy 3, third bullet point, delete “...and avoiding...developments”**
- **Policy 3, above the ten bullet points in the second column, add “*For larger scale proposals, including new dwellings:*”**
- **Policy 3, ninth bullet point, add “...to be *generally* avoided”**
- **Policy 3, delete final bullet point**
- **Supporting text, delete second sentence and last sentence**

Policy No. 4: Housing mix and affordable housing provision

Policy 4 seeks to ensure the provision of affordable housing on sites of a suitable size. In this way, it has regard to national policy, which requires the provision of a wide choice of high quality homes and the creation of inclusive and mixed communities (Framework, Para 50).

Further to a Ministerial Statement on 28 November 2014⁵, now incorporated into Planning Guidance (Planning Obligations Para 012), affordable housing and tariff-style contributions are not required for sites of 10 dwellings or less. There is no substantive evidence to demonstrate why the threshold should be lower in Caistor than that required by national advice. I recommend:

- **Policy 4, change first line to “...for more than 10 dwellings must...”**
- **Policy 4, line three, for clarity, add “...All new housing development should...”**
- **Policy 4, delete the penultimate and final sentences, “...This housing...in need.”**
- **Delete final sentence of supporting text**

The final change, above, removes a confusing and unnecessary reference to the development plan, of which the Neighbourhood Plan, if it was made, would form part. Also, by definition, a Caistor-specific housing mix would, anyway, go some way to providing affordable housing for local people.

Policy No. 5: Empty homes/derelict land

Policy 5 seeks to place a requirement on the owners of vacant and/or derelict land to bring property back into use. Whilst the Framework promotes the effective use of brownfield land, it is unclear how the proposed Policy can be implemented through the planning system. The Policy does not provide a clear indication of how a decision maker should react to a development proposal, as required by paragraph 154 of the Framework. Consequently Policy 5 does not meet the basic conditions.

I note that it is an aspiration of the local community to bring vacant and/or derelict land back into use and I recognise this in making my recommendation below:

- **Delete Policy No. 5 and supporting text**
- **Create a new “Aspiration: Empty homes/derelict land” (after the Policy section of the Neighbourhood Plan). Create new text for this Aspiration, as follows “Caistor is committed to addressing the issue of derelict housing and the Town Council will seek to encourage owners of both derelict and unoccupied housing to provide a plan of action to bring the property back into use. The Town Council will investigate whether this could form a priority for the Community Infrastructure Levy in Caistor and where considered necessary, will investigate the scope for pursuing Compulsory Purchase Orders, to bring such properties back into use.”**

⁵ House of Commons: Written Statement (HCWS50)

Policy No. 6: Live work opportunities

Policy 6 would effectively allow undefined “residential accommodation” to accompany any application for employment related development so long as a business plan can demonstrate viability of the proposal.

This would represent a major departure from any national or local strategic planning policy and there is no evidence to demonstrate that the proposed policy would have regard to national policy or be in general conformity with the strategic policies of the Local Plan. In addition, and importantly, I note that a requirement to provide a business plan is not a land use planning consideration.

Policy 6 fails to meet the basic conditions. I recommend:

- **Delete Policy No. 6 and supporting text**

Policy No. 7: Impact of traffic

As worded, Policy 7 is extremely general. Effectively, it seeks to allow any type of development, subject to it meeting various traffic related considerations and “respecting” design considerations.

Thus, the Policy might support a well-designed nuclear power station or new community of 25,000 homes, so long as it funded a local transport strategy. There is no evidence to suggest that the local community would be in favour of any such development and as such, nothing to lead me to consider that it is the intention of the Neighbourhood Plan to allow any type of development subject to design and traffic considerations.

It is not the role of Neighbourhood Plan Policies to repeat the content of other Policies, nor to require consideration against other documents controlled by other authorities; and also, that planning obligations must meet the six tests set out in paragraph 206 of the Framework. Policy 7 conflicts with all of these requirements.

Taking all of the above into account, I find that Policy 7 fails to meet the basic conditions. I recommend:

- **Delete Policy No. 7 and supporting text**

Policy No. 8: Improved cycling and pedestrian linkages

Policy 8 seeks to improve cycling and pedestrian linkages. It has regard to the Framework, which promotes sustainable patterns of movement; and is in general conformity with Local Plan policies SUS4 and SUS5, which support the creation of

cycle and pedestrian routes, along with cycle parking facilities. In this way, the Policy contributes to the achievement of sustainable development.

The reference to major development, which is defined in the Glossary, could be made simpler and there is no evidence to demonstrate that the prioritised introduction of place signage would be directly related to all major development. I recommend:

- **Policy 8, change first and second lines to “*All major development proposals should demonstrate...*”**
- **Policy 8, change fifth and sixth lines to “*Where appropriate and viable, new developments should provide new or enhanced facilities, including new signage...*”**
- **Policy 8, delete last sentence**

Policy No. 9: Business units and start up units

The aim of Policy 9 is to ensure that local business development can occur and sets out to encourage investment in Caistor. The Policy has regard to the Framework, which recognises that the planning system should do everything it can to support sustainable economic growth (Para 19, The Framework). In this regard, the Policy has regard to national policy and contributes to the achievement of sustainable development.

However, the policy does not define employment areas and refers to letting arrangements, which do not comprise a land use planning matter. Matters relating to the Disabled Discrimination Act are covered in Part M of Building Regulations and there is no requirement for an additional reference in Policy 9. As worded, the Policy also requires the provision of a statement setting out and quantifying economic, social and environmental benefits that will be achieved as a result of a proposed development. This places an onerous requirement on all applications for new business units and it is not clear what such a requirement would achieve, what would happen if a statement was not provided, and how any such statement would be considered.

Taking all of the above into account, I recommend:

- **Policy 9, change first line to “*The development of new business units will be supported where they:...*”**
- **Policy 9, delete first, fifth, sixth, seventh and last bullet points**
- **Policy 9, second bullet point, delete “...defined...”**

- **Policy 9, third bullet point, replace “...property...” with “...buildings...”**
- **Policy 9 supporting text, delete the last paragraph, which is not relevant to the Policy**

Policy No. 10: Social Infrastructure

Policy 10 seeks to protect and improve community facilities. In this regard, I note that the title and first sentence of the Policy is unnecessarily confusing and no evidence is provided as to how, or whether, the Policy can be “encouraged.”

Also, no clear definition is provided as to what comprise “suitable locations.” Whilst the supporting text refers to the market place and surrounding streets, it is not clear how parks and open spaces could be provided in the market place or surrounding streets.

“Community support” is not defined and therefore does not provide decision makers with an indication of how they should react to a development proposal. For example, one member of the community might support a proposal and logically, this would comprise “community support.”

The Policy refers to community assets, but does not define these. In addition, the Use Class Order allows for some changes of use to occur without the need for planning permission and the Policy, as worded, would fail to have regard to this.

The final paragraph of the Policy is entirely unclear - “those policies” are undefined, as are “material considerations.”

Taking everything above into account, I recommend:

- **Policy 10, change title to “*Community Facilities*”**
- **Policy 10, first para, change to “*Development that delivers improvements to existing community facilities or delivers new community facilities will be supported.*”**
- **Policy 10, second para, change to “*Proposals that will result in the loss of community facilities, including retail facilities, pubs, post offices, community halls, sports facilities, parks and open spaces will be resisted unless it is demonstrated that the continuation of the existing use is unviable.*”**
- **Policy 10, delete final paragraph**

Subject to the above recommendations, Policy 10 has regard to the Framework, which recognises the important role that the planning system has to play in facilitating social interaction and creating healthy, inclusive communities (Para 69,

Framework). It contributes to sustainable development and meets the basic conditions.

Policy No. 11: Leisure Facilities

Policy 11 supports the creation of leisure facilities. As with Policy 10, the Policy has regard to the Framework's promotion of healthy communities (Chapter 8, Framework) and contributes to the achievement of sustainable development.

However, as worded, the Policy refers to National Curriculum requirements. These are undefined and anyway, are beyond the control of the Neighbourhood Plan. In addition, in promoting facilities for younger people, the Policy does not set out how it will "encourage" and support their development at any location. Consequently, the Policy could result in development that harms residential amenity or local character and as such, would fail to be in general conformity with the policies of the Local Plan, or have regard to the Framework. Together amongst other things, the Local Plan and the Framework protect local character and residential amenity.

In addition, the Policy unnecessarily references one specific type of leisure facility (swimming pools), whereas it actually refers to all sports and leisure facilities. As worded, it also allows such development in any location, regardless of local character.

I recommend:

- **Policy 11, line two, delete "...and encouraged..."**
- **Policy 11, delete the second sentence**
- **Policy 11, delete the second paragraph**
- **Policy 11, change last paragraph to "...bmx track *will be supported, subject to being in an accessible location and not harming local character or residential amenity.*"**

Policy No. 12: Broadband access

The Framework supports the development of high quality communications infrastructure and recognises that this is essential for sustainable economic growth. Policy 12 has regard to the Framework and subject to the recommendations below, meets the basic conditions. I recommend:

- **Policy 12, change first sentence to "*The development of broadband and communications technology will be supported...*"**

- **Policy 12, change second sentence to “All major development proposals should demonstrate how they will contribute...”**
- **Policy 12 supporting text. Move the third sentence to the supporting text, to follow the existing supporting text, and change to “To demonstrate how major developments will contribute to this aim, it is suggested that they provide a Connectivity Statement as part of the planning application. Such...networks.”**

Policy No. 13: Tourism

Policy 13 supports tourism and to some degree, has regard to the Framework, which supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

However, Policy 13’s unqualified support for all development that creates tourist related businesses or uses is so sweeping that it could lead to significant conflict with national and local planning policy. For example, the development of three thousand chalets for rent may support tourism, but could also lead to social, economic and environmental harm. In this way, Policy 13 would fail to contribute to the achievement of sustainable development.

The Policy goes on to refer to business planning, which is not a land use planning matter and includes a general statement about what tourism developments should promote and what may be explored in future.

I recommend:

- **Policy 13, change opening sentence to “Proposals for development that creates tourist uses will be supported, subject to it demonstrating that it benefits the local community, local businesses and visitors; and subject to it demonstrating that it will not harm residential amenity or the character of the countryside.”**
- **Policy 13, delete the rest of the Policy**

Policy No. 14: Heritage

National policy recognises the nation’s heritage assets as an irreplaceable resource (Para 126, Framework). The Framework establishes a clear and detailed policy approach for the conservation and enjoyment of the historic environment.

Policy 13 is a highly confusing and confused policy. It seeks to introduce an entirely different policy approach to protecting heritage assets to that set out in national

policy and consequently, results in significant conflict. It does not have regard to the Framework.

The Policy seeks to introduce a link between redundant buildings, development of the town's historical sites and heritage assets that is so complex and confusing that no recommendation can be made other than deletion.

The Policy refers to "re-use" without providing clarity as to the "re-use" of what. No clarity is provided as to how existing heritage can be "preserved and protected."

Altogether, the Policy seeks to introduce an approach to Listed Buildings and Conservation Areas entirely different to that set out in the Framework, without any evidence as to why such a departure is appropriate. I recommend:

- **Delete Policy 14 and supporting text**

Policy No. 15: Visitor Accommodation

Policy 15 supports the change of use of any dwelling or commercial property to hotel, bed and breakfast or guest house accommodation.

The Framework and the Local Plan protect residential amenity. There is no indication of how the approach proposed by Policy 15 would protect local residents from the impacts that may arise from, for example, the development of a new hotel in a residential street – such as those relating to highway safety, privacy, outlook, noise and disturbance and so on. The Policy does not meet the basic conditions.

I recommend:

- **Delete Policy 15 and supporting information**

Policy No. 16: Visitor and tourism signage

Policy 16 supports the introduction of new "appropriate" signage to promote the town. No indication is provided as to what is "appropriate." Consequently, the Policy fails to provide decision makers with a clear indication of how to react to a development proposal.

The Policy seeks to place requirements on West Lindsey District and Lincolnshire County Councils. It is not the role of a neighbourhood plan to place requirements on external authorities over which no control can be exercised.

There is no evidence to demonstrate that a signage "strategy" is a land use planning matter and in addition, it is unclear how an applicant might be expected to contribute to such a strategy.

Taking all of the above into account, I find that Policy 16 fails to meet the basic conditions. Whilst I recommend deletion of the Policy below, I recognise that better signage for the town and its facilities is a community aspiration. My recommendations are aimed at ensuring that sight is not lost of this aspiration:

- **Delete Policy 16**
- **Move the supporting text to a new “*Aspiration: Visitor and tourism signage*” after the Policy section**

Policy No. 17: Existing schools and educational establishments

This Policy provides a positive approach to enabling the appropriate expansion of educational facilities. This has regard to paragraph 72 of the Framework, which gives great weight to the need to create, expand or alter schools. Subject to addressing the recommendation below, removing unnecessary references to the National Curriculum and other Policies in the Neighbourhood Plan, Policy 17 meets the basic conditions. I recommend:

- **Policy 17, end Policy in the second sentence “...impact on the countryside.” Delete the remainder of the Policy**

Policy No. 18: Training and apprenticeships

The promotion of new training and apprenticeship opportunities is not a land use planning policy. However, it reflects a local aspiration. I recommend:

- **Delete Policy 18**
- **Move supporting text to a new “*Aspiration: Training and apprenticeships*”**
- **Add to the beginning of the Aspiration “*The Town Council will seek to encourage workplace training in the construction industry.*”**

Policy No. 19: Environmental Standards

A Ministerial Statement⁶ published 25 March 2015 states that “...neighbourhood plans should not set...any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This

⁶ House of Commons: Written Statement (HCWS488)

includes any policy requiring any level of the Code for Sustainable Homes...the Government has now withdrawn the Code...”

As a consequence of the above, Policy 19, which refers explicitly to the Code for Sustainable Homes/BREEAM, does not have regard to national policy. I note that the Policy also refers to Building Regulations – these are outside the control of the Neighbourhood Plan.

Policy 19 does not meet the basic conditions. I recommend:

- **Delete Policy 19 and supporting text**

Policy No. 20: Renewable energy

Policy 20 promotes renewable energy and has regard to national policy, which aims to increase the use and supply of renewable and low carbon energy (Para 97, Framework). To ensure that the Policy does not allow for development of an inappropriate scale, I make just one recommendation. Subject to this and the recommended change to the supporting text, the Policy requires no major changes and meets the basic conditions.

I recommend:

- **Policy 20, line three, add “...incorporate *appropriate* energy...”**
- **Policy 20, supporting text, delete the penultimate and final sentences, from “There is a well...residents.”**

Policy No. 21: Environmental protection and enhancement

Policy 21 lacks clarity and is an extremely confusing Policy.

The opening sentence requires all development to protect *and* enhance “the quality of the local environment.” No measure of the quality of the local environment is provided and it is therefore unclear as to how development can protect it. Furthermore, even if the quality of the local environment was clearly defined and measurable, a requirement for all development to enhance it would be unduly onerous and there is no evidence to the contrary.

The next part of the Policy effectively states that five areas of land have been defined as “green infrastructure.” However, no definition is provided as to what “green infrastructure” is, other than a geographical reference to a green infrastructure plan. This plan indicates that three large irregular shaped swathes of land within the Neighbourhood Area and a further, smaller site, together comprise

green infrastructure. Policy 21 states that development at these sites will be resisted.

Whilst I acknowledge that there is a high level of interest and concern for local wildlife and that people have listed areas that they would like to see being protected from development, it is unclear why a sports ground and a park should have the same designation as swathes of open countryside. It is also entirely unclear as to why these apparently random areas of land both within and well outside the settlement of Caistor have been allocated as, undefined, green infrastructure.

I note that the Framework provides an explicit policy approach to the designation of Local Green Space whereby

“Local communities... through neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out development other than in very special circumstances...” (Para 76, The Framework)

The Framework goes on to clearly set out how neighbourhood plans can designate Local Green Space.

However, rather than have regard to the Framework, Policy 21 seeks to introduce an entirely different approach that does not have regard to the Framework and does not meet the basic conditions.

The wording of the Policy then appears confusing and contradictory. It states that, if a proposal delivers “material economic, social and environmental benefits, the impact will be mitigated by the introduction of compensatory habitats...” It is unclear why the impact of benefits needs to be mitigated against, or indeed, how this will be measured.

Whilst it is not made clear whether this part of the Policy applies specifically to the proposed “green infrastructure” or to development in general, I note that if it applies to the proposed green infrastructure, it would provide an opportunity for the development of swathes of open countryside, that would be extremely unlikely to be developed otherwise, due to protection afforded by national and local policy. Also, if it applies to green infrastructure, it is unclear as to what the biodiversity value of a sports ground is that is so significant that it must be compensated if that sports ground is developed. It would seem to be a more reasonable requirement to simply replace the provision for sports.

The final part of the Policy states that all development should provide new green spaces, habitat areas, detailed landscaping proposals and management plans. This is clearly an unduly onerous requirement for most development and may not, in many circumstances, be viable or deliverable.

Taking all of the above into account, the Policy lacks clarity. It does not provide a decision maker with a clear indication of how to react to a development proposal (Para 154, The Framework). It does not have regard to the Framework. It does not contribute to the achievement of sustainable development and it fails to meet the basic conditions.

I recommend:

- **Delete Policy 21 and its supporting text**
- **Delete the Green Infrastructure Plan on page 12**

Policy No. 22: Allotment provision

Generally, Policy 22 supports the provision of allotments. This has regard to Chapter 8 of the Framework, which recognises the important role of the planning system in facilitating social interaction and creating healthy, inclusive communities. In this way, the Policy contributes to the achievement of sustainable development.

However, as worded, the Policy also includes references to “market gardens” and “orchards” and it is not clear whether these would comprise commercial operations or community facilities. Also, there is no clarity as to what the “essential needs” referred to by the Policy actually comprise. It is also unclear as to how all new development proposals can include land for allotments and orchards, or can provide for management arrangements for their ongoing use and retention. This would clearly be an unduly onerous and potentially impossible requirement for many proposed developments, including, for example, applications for household extensions.

In addition to the above, the Policy refers to “the requirement to provide for local food production opportunities.” No indication is provided as to where such a requirement comes from. I note that paragraph 17 of the Framework simply refers to the fact that some open land can support food production.

Taking all of the above into account, the Policy fails to provide a clear indication of how a decision maker should react to a development proposal. It fails to have regard to national policy. I recommend:

- **Policy 22, delete and replace with “*The provision of allotments within new developments, and arrangements for their ongoing use and attention, will be supported.*”**

Subject to the above, Policy 22 meets the basic conditions.

Policy No. 23: Community infrastructure requirements

Policy 23 sets out a requirement for development to provide necessary infrastructure. In this way, it has regard to the Framework, which recognises the role of the planning system of identifying and coordinating development requirements, including the provision of infrastructure (Para 7, Framework).

The Policy goes on to refer to “delivery of the necessary Section 106 contributions” and I note that this is not something that the Neighbourhood Plan has control over. In addition, the Policy’s reference to CIL payments suggests that the Town Council has full control over these, which is not the case. The Policy refers to a strategy that does not form part of the Neighbourhood Plan. I recommend:

- **Policy 23, change first sentence to “*Development will be expected to provide...*”**
- **Policy 23, delete everything after the first sentence (ending “...the proposal.”)**
- **The supporting text is confusing and part of it makes no sense. Delete the supporting text and replace with “*The Town Council will seek to use any Community Infrastructure Levy money it receives to address infrastructure needs based on an approved community infrastructure needs strategy.*”**

Subject to the above changes, the Policy contributes to the achievement of sustainable development and meets the basic conditions.

7. The Neighbourhood Plan – Other Matters

I recommend:

- Delete paragraph above Aspiration 1
- Aspiration 1 final paragraph, change to *“The Town Council will seek to address these aspirations in partnership...”* Otherwise the Aspiration reads as a Policy and places a requirement on other bodies
- Delete the *“This Policy and approach is supported by”* section
- Delete Aspiration 2 - there are no development briefs in the Policies of the Neighbourhood Plan and this Aspiration reads as though it is a Policy, which it is not
- Delete the Residential Design Brief. This does not relate to any of the Policies in the Neighbourhood Plan but is a largely illegible, due to the small print, Design Brief for a site not allocated in the Neighbourhood Plan. Its inclusion is confusing and unnecessary
- Glossary, delete the definitions of BREEAM, Conformity, Core Strategy, Examination in Public, Low Carbon Energy, Permitted Development, Secondary Attractor, Sequential Test, SEA, SHMA and SHLAA. These are either unnecessary or their inclusion is confusing and detracts from the clarity of the Neighbourhood Plan
- Glossary, end the Independent Examination definition at *“...Document.”* The rest of the definition is wrong
- Glossary, delete the second sentence in the definition of Infrastructure, which actually relates to Issues, Options etc, but is unnecessary
- Glossary. Use capital B in title *“Listed Buildings”*
- Glossary. Remove the second sentence of LDF definition, which is misleading.
- Glossary, change the definition of the NPPF to *“Sets out national planning policy and how it is expected to be applied.”*
- Glossary, delete last sentence of Open Space definition which doesn't add any clarity

8. Summary

I have recommended a number of modifications further to consideration of the Caistor Neighbourhood Plan against the basic conditions.

Subject to these modifications, the Caistor Neighbourhood Plan

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach, and is compatible with European Union obligations and the European Convention of Human Rights.

Taking the above into account, I find that the Caistor Neighbourhood Plan meets the basic conditions. I have already noted above that the Plan meets paragraph 8(1) requirements.

9. Referendum

I recommend to West Lindsey District Council that, subject to the recommended modifications, the **Caistor Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

Neighbourhood Plan Area - I am required to consider whether the Referendum Area should be extended beyond the Caistor Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

I recommend that the Plan should proceed to a Referendum based on the Caistor Neighbourhood Area as approved by West Lindsey District Council on 3 September 2013.

Nigel McGurk, July 2015
Erimax – Land, Planning and Communities

www.erimaxltd.com

Nettleham Neighbourhood Plan

2014-2031

A report to West Lindsey District Council on the Nettleham Neighbourhood Plan

**Andrew Ashcroft
Independent Examiner
BA (Hons) MA, DMS, MRTPI**

**Assistant Director – Economic, Environment & Cultural Services
Herefordshire Council**

Executive Summary

- 1 I was appointed by West Lindsey District Council in July 2015 to carry out the independent examination of the Nettleham Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 25 August 2015.
- 3 The Plan proposes a wide range of policies and seeks to bring forward positive and sustainable development in the plan area. There is a clear focus on safeguarding the very distinctive character of the village and its open spaces. It promotes new residential growth in a positive and sensitive way.
- 4 The Plan has been significantly underpinned by community support and engagement. It seeks to achieve sustainable development in the plan area and which reflects the range of social, environmental and economic issues that it has identified.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Nettleham Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood plan area.

Andrew Ashcroft
Independent Examiner
30 September 2015

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Nettleham Neighbourhood Plan 2014-2031 (NNP).
- 1.2 The plan has been submitted to West Lindsey District Council (WLDC) by Nettleham Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the NNP is legally compliant and meets the Basic Conditions that apply to neighbourhood plans. It also considers the content of the plan and, where necessary, recommends changes to its policies and supporting text.
- 1.5 This report also provides a recommendation as to whether the NNP should proceed to referendum. If this is the case and that referendum results in a positive outcome the NNP would then be used to determine planning applications within the plan boundary and would sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the legislative and procedural requirements.
- 2.2 I was appointed by WLDC, with the consent of the Nettleham Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the WLDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am Assistant Director – Economic, Environment and Cultural Services at Herefordshire Council and I have over 30 years' experience in various local authorities. I am a chartered town planner and have experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute.
- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the NNP is submitted to a referendum; or
 - (b) that the NNP should proceed to referendum as modified (based on my recommendations); or
 - (c) that the NNP does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 As part of this process I must consider whether the submitted NNP meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area; and
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the submitted NNP against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth bullet point above in paragraphs 2.6 to 2.9 of this report.

- 2.6 In order to comply with the Basic Condition relating to European obligations the District Council has undertaken a screening opinion. This process concluded that the NNP would require a Strategic Environmental Assessment (SEA) due to the scale of the residential development proposed in the Plan area. I am satisfied that WLDC followed the required process in consulting with English Heritage, the Environment Agency and Natural England. During the course of my examination of the Plan I was

given access to these and other documents and which set out the process that was followed.

- 2.7 As a result of this screening opinion an environmental statement was prepared by the Parish Council. It addresses the necessary issues in a comprehensive fashion. In particular it sets out a thorough assessment of each policy in the Plan in general, and of the greenfield site allocations in particular. It is also clear that the work on the preparation of the environmental statement played a key part in bringing about elements of the changes between the draft and submission versions of the Plan. This is neatly summarised in Table 5 of that Statement.
- 2.8 Having reviewed the information provided to me as part of the examination I am satisfied that a thorough, comprehensive and proportionate process has been undertaken in accordance with the various regulations. The environmental report gets to the heart of the matter in both identifying and proposing mitigation for a range of environmental matters. It also assesses alternative scenarios. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted NNP is compatible with this aspect of European obligations.
- 2.9 In a similar fashion I am satisfied that the submitted NNP has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to be involved in the preparation of the Plan and to make their comments known. On this basis I conclude that the submitted NNP does not breach, nor is in any way incompatible with the ECHR.
- 2.10 In examining the NNP I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.11 Having addressed the matters identified in paragraph 2.10 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted NNP.
- the NNP Basic Conditions Statement.
- the NNP Consultation Statement
- the detailed appendices to the NNP (A – K)
- the screening opinion
- the representations made to the NNP.
- the adopted West Lindsey Local Plan (First Review) 2006.
- the Central Lincolnshire Local Plan 2012 to 2036 - Further Draft for Consultation.
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- Ministerial Statements.

3.2 I carried out an unaccompanied visit to the Plan area on 25 August 2015. I looked at the plan area in its wider context, the character of Nettleham village itself and the identified local green spaces. I paid particular attention to the housing policies in general and to the associated four housing allocations. I looked at the proposed green wedge in the southern part of the Plan in relation to its proximity both to Nettleham and Lincoln. My site inspection is covered in more detail in paragraphs 5.7 to 5.10 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Three representations made during the consultation exercise on the submitted Plan asked to participate at a hearing. However each of the representations was submitted in a very comprehensive fashion and I had access to the relevant information to assess the Plan against the basic conditions. Having considered all the information before me, including all the representations made to the submitted plan, I was satisfied that the NNP could be examined without the need for a public hearing. I advised WLDC of this decision after making my visit to the Plan area.

3.4 As part of this examination I looked at all the information submitted with the Plan itself. In particular I have examined Appendix A (which provides detail on the character of the Plan area) and Appendix C (which provides detail on the Plan's designation of local green spaces). Both these documents are informative in their own right, and the details in these and other appendices make the neighbourhood plan more succinct and readable than would otherwise have been the case.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require these plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This statement is very thorough and comprehensive. It is supported by an appendix which summarises the comments received at earlier stages of the Plan. The wider Statement provides a very significant level of detail and in a proportionate and well-presented way.
- 4.3 Consultation has fundamentally underpinned the Plan's production. A committee of parish councillors and other interested residents was formed in April 2012. Following the designation of the Plan area in January 2013 a range of focus groups and workshops were held with key bodies and individuals between February and August 2013. Other meetings also took place with developers, land owners and agents from early 2013 to late 2014. A preliminary draft Plan was published in May 2014. The draft Plan itself was approved by the Parish Council in October 2014. Paragraph 4.6 of the Consultation sets out the range of publicity and community engagement that has been undertaken as the Plan has been developed. It has included leaflet drops, feedback in Nettleham News and displays at the village carnival. It is clear that this process has been comprehensive and exhaustive.
- 4.4 There has been considerable liaison between the Parish Council and officers of the relevant local councils. This collaborative approach is good practice. It has also ensured that the NNP has been produced within the context of the emerging Central Lincolnshire Local Plan.
- 4.5 Appendix A of the Consultation Statement has been particularly useful to my examination of the Plan. It sets out how the Plan evolved between the pre-submission and submission phases. The positive approach that was taken in responding to the earlier comments is reflected in the representations received to the submitted plan (see 4.7 below) and their generally positive nature.
- 4.6 From all the evidence provided to me as part of the examination, I can see that the NNP has promoted an inclusive and comprehensive approach to seeking the opinions of all concerned throughout the process. On this basis I am fully satisfied that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.7 Consultation on the submitted plan was undertaken by the District Council for a six week period and which ended on 17 July 2015. This exercise generated comments from the following persons or organisations:

- Malcom Leaning
- The Highways Agency
- Mrs J Clayton
- Lincolnshire Police
- Clark, Mann and Weldon
- Lorna Patten
- Chris Williams
- Maureen Rees
- Peter Rees
- Joseph Siddall
- Louise Siddall
- Chris Siddall
- Andrew and Dominique Blow
- North East Lincolnshire Council
- Dr and Jane Marshall
- John Downs
- The National Grid
- Richard Porter
- June Gauke
- Adrienne Wright
- Beal Developments Limited
- Dixon Homes
- Anglian Water
- Long Leys Gospel Trust
- Natural England
- Mr R Cole
- Emma Kent
- Mr C and Mrs F Stuffins
- Robert Doughty Consultancy
- Lincolnshire County Council
- West Lindsey District Council

5 The Plan Area and the Development Plan Context

The Plan Area

- 5.1 The Plan area covers the whole of Nettleham parish. Nettleham is an attractive village located in the southern part of the West Lindsey District and on the northern edge of the City of Lincoln. The village is well defined and sits within open countryside.
- 5.2 The built up part of the village has a pleasant and attractive character. It sits on the banks of a rivulet (known as The Beck) which runs from west to east towards Scothern. It lies within a shallow valley. The village has a strong and clear historic core based around High Street, Church Street, Chapel Lane and The Green. This historic core was designated as a conservation area in 1969. The predominant traditional vernacular materials in this historic core are limestone rubble and pantile roof tiles. This gives this part of the village a warm and attractive character. There is a very pleasant and attractive group of shops and other local services around The Green. The history of the Plan area is also clearly visible in the remaining earthworks on the site of the former Bishop's Palace and Meadow to the south of High Street. The more modern parts of the village are characterised by a variety of residential properties of differing sizes and designs. Most are of brick construction. However they sit comfortably within the historic context of the village. There are a variety of local green spaces and which add to the pleasant and open aspect of the village. The Lincolnshire Police HQ and its associated grounds sit to the immediate north west of the village itself.

Development Plan Context

- 5.3 The development plan context is emerging. Nonetheless it is clear that this context has provided a solid framework for the preparation of the neighbourhood plan.
- 5.4 The West Lindsey District Local Plan (First Review) was adopted in June 2006. It sets out the basis for development in the District between 2006 and 2016. A significant part of its policies remain saved until the adoption of the emerging Central Lincolnshire Local Plan. All the policies in the Strategic section of the saved local plan are strategic policies of the development plan (see paragraph 2.5 of this report). Within this saved plan the following policies are particularly relevant to the NNP:

Policy Strat 3 in which Nettleham is identified as a Primary Rural Settlement.

Policy Strat 6 which sets out a series of criteria against which applications for windfall or infill residential developments will be assessed in primary rural settlements.

Policy Strat 13 which identifies a series of green wedges around Lincoln. One of these is located to the south of Nettleham.

- 5.5 These saved policies will apply in the NNP area until the adopted Local Plan is replaced by the emerging Central Lincolnshire Local Plan.
- 5.6 During the course of my examination of the NNP the emerging Central Lincolnshire Local Plan (CLLP) 2012 to 2036 was reported to the Central Lincolnshire Joint Strategic Plan Committee (on 7 September) and was approved for consultation purposes. That report indicated that consultation would commence on 1 October 2015. Plainly at this stage its policies are in an emerging state and have not been examined. Nevertheless its policies will have an important and longer term implication on the NNP area. Within this emerging Plan the following policies have particular relevance to the NNP:

Policy LP2	Spatial Strategy and Settlement Hierarchy.
Policy LP3	Level and Distribution of Growth.
Policy LP21	Green Wedges.
Policy LP22	Local Green Spaces
Policy LP24	The historic environment.
Policy LP52	Residential allocations – Large Villages
Policy LP55	Development in Rural areas and the countryside.

This emerging Plan helpfully identifies those policies that would be regarded as strategic policies once it has been adopted. With the exception of Policy LP22 all the policies listed above will be strategic policies.

Site Visit

- 5.7 I carried out an unaccompanied visit to the Plan area on 25 August 2015. I walked along the length of Main Street and saw how the Beck adds character and interest to the village. I took the opportunity to spend time in the site of the Bishop's Palace and the adjoining meadow. The sites were beautifully maintained and have been recently enhanced by the planting of memorial trees, the completion of the Prince's Gate and the construction of a traditional dry stone wall. I walked along FP145 through the Police HQ to Welton Road. Thereafter I walked along Scothern Road to the northern edge of the village. I then walked to The Green and saw the range of retail and other service industries in this attractive and vibrant part of the village. In making this tour of the village I looked in detail at the four proposed housing allocations in the NNP. To complete my visit I walked along Sudbrooke Lane and looked at Mulsanne Park. I drove back towards Lincoln along Greetwell Lane so that I could see the characteristics and definition of the green wedge.
- 5.8 It was very clear from the visit that there is a strong sense of community in the Plan area. The quality of the public realm is very high in general, and the Bishop's Meadow and the grounds of the church are beautifully maintained. The Bill Bailey's Memorial Playing Field was also very well maintained and has a wide range of facilities on offer. At the time of my visit it was clearly being appreciated by the younger residents of the village. There were also strong signs of environmental

sustainability and local pride. The recent works to the Bishop's Palace and Meadow have been sensitively implemented, and all the footpaths provide full and safe access and are very well-signed.

- 5.9 This sense of local pride and maintenance is also reflected in the building stock in the Plan area. Properties and gardens are very well-maintained. The heart of the village around The Green has a very pleasing effect of active business and commercial uses set within sensitively-adapted buildings. The recent development of Ambrose Court sits very comfortably in this context both in terms of its design and its use of vernacular materials.
- 5.10 I also saw the geographic and topographic relationship between the Plan area and the City of Lincoln to its south. I was able to understand better how these relationships have informed key elements of the Plan.

6 The Neighbourhood Plan as a whole

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and concise document.

6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.9 of this report have already addressed the issue of compatibility with European Union legislation.

National Planning Policies and Guidance

6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.

6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Nettleham Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan, the adopted West Lindsey District Local Plan Strategy (First Review) 2006 and the emerging CLLP.
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities – in this case both generally and in relation to the strategic gap between the plan area and Lincoln in particular.
- conserving heritage assets.
- actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling.
- taking account of and supporting local strategies to improve health, social and cultural well-being.

6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development and which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the local plan.

6.6 In addition to the NPPF I have also taken account of other elements of national planning guidance including the Planning Practice Guidance and the recent ministerial statements.

6.7 Having considered all the evidence and representations submitted as part of the examination I am satisfied that the submitted Plan has had regard to national

planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area and promotes sustainable growth. At its heart are a suite of policies to safeguard its distinctiveness and character. In doing so it actively and positively promotes new residential development. The constructive conservation of historic assets is also positively promoted.

- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in Nettleham. In the economic dimension the Plan sets out a very sharp focus on identifying new residential development and safeguarding identified employment sites. In the social role it includes policies to allow appropriate affordable housing. In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment of the parish. It identifies a suite of local green spaces and sets out a range of policies that seek to ensure sustainable drainage. It seeks in particular to safeguard the character, appearance and function of the Beck which is a key feature of the local environment.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in West Lindsey and the wider Central Lincolnshire area in paragraphs 5.3 to 5.6 of this report.
- 6.12 It is clear that the submitted NNP has been prepared to be in general conformity to the adopted West Lindsey Local Plan 2006 whilst at the same time to have a weather eye to the emerging Central Lincolnshire Local Plan. Plainly circumstances have moved on significantly from 2006 when the Local Plan was adopted. Nevertheless the NNP continues the approach set out in that Plan. It proposes proportionate housing growth on three sites on the edge of the village and on one site within the

existing built up area. It safeguards identified employment sites for longer term use. It seeks to retain the distinctive character and appearance of the Plan area.

- 6.13 It is also evident that there has been overlapping work on the production of the NNP and the emerging Central Lincolnshire Local Plan. The latter identifies the same four housing sites and indeed identifies them as the neighbourhood plan sites. There is a different approach taken between the two plans on the geographic extent of the green wedge between Nettleham and Lincoln. I comment on this matter in more detail in Policy E1 in Section 7 of this report. Nevertheless in general terms I conclude that the NNP is in general conformity with the strategic policies in the development plan.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the range of policies in the Plan. In particular it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases I have recommended changes to the text to reflect proposed modifications to policies.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is concise and distinctive to the Plan area. Other than to ensure compliance with national guidance I do not propose that major elements of the Plan are removed or that new sections are included. In some cases however I have recommended that certain policies are combined for both consistency and clarity. The community and the Parish Council have spent considerable time and energy in identifying the issues and objectives that they wish to be included in their Plan. This gets to the heart of the localism agenda.
- 7.4 In other cases I have recommended modifications to policies that reflect my own observations on my visit to the plan area or that reflect comments from those making representations in terms of the extent to which the Plan meets the basic conditions.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. In some cases there are overlaps between the different policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended specific modifications to individual policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

Sections 1 to 4

- 7.8 These introductory elements of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is well-presented and arranged and it is supported by well-chosen photographs, maps and contextual information.
- 7.9 The Introduction to the Plan provides a very clear context to the role and purpose of neighbourhood planning and the designation of the neighbourhood planning area. Paragraph 1.5 properly sets out the Plan's time period. Section 2 sets out an interesting range of information about the Plan area. It provides a useful background and context to the range of policies in the Plan. It helpfully provides information to someone without any previous knowledge of the Plan area. Section 3 provides a comprehensive overview of the development of the Plan since 2011. It overlaps with the Consultation Statement. Section 4 sets out the vision for the future of Nettleham. The various key issues that stem from this overall analysis are then addressed in

more detail in Section 5 of the Plan which addresses various topics and sets out a range of policies.

Policies in General

- 7.10 The presentation of the Plan makes a clear contrast between the policies themselves and the supporting text. This will ensure that decision-makers have clarity on the policies in the NNP. The identification of key issues in each of the topic sections is also very helpful. The Proposals Map is identified as a separate appendix to the Plan. Whilst this does not affect the integrity of the map itself it results in an important element of the plan being separate from the main document. This is easily remedied by the following modification:

Include the Proposals Map within the Plan itself rather than as a separate appendix.

Policy E1 The Green Wedge

- 7.11 This policy sets out to identify and safeguard a green wedge to the south of the village and with a view to prevent its coalescence with Lincoln to its south. This approach reflects the identification of a green wedge in this area in both the saved 2006 Local Plan and the emerging CLLP. In the case of the NNP the identified green wedge is larger than in both the saved and the emerging local plan. In detail the NNP proposed green wedge extends to the east of Greetwell Lane. I can see that the Plan sets out its justification for an extended green wedge. However my role is to examine the NNP against the basic conditions rather than to develop policy. Given the scale of the proposed extension to the green wedge and the proposed retention of the extent of the green wedge from the saved local plan in the emerging CLLP I am not satisfied that the NNP proposal is in general conformity with strategic local plan policies. This situation can be remedied by the identification of the saved local plan green wedge in the NNP. This is reflected in my proposed modification below

Revise the boundary of the green wedge to that included in the saved Local Plan

Remove associated elements of supporting text that refer to the proposed spatial extension of the green wedge in the submitted plan.

Policy E2 Local Green Spaces

- 7.12 This policy identifies and safeguards green spaces within the Plan area. Supporting text indicates that these areas make a vital contribution to the character and appearance of the village and are valued by the community. I saw both of these factors during my visit to the Plan area. I can also see that there is a very significant overlap between the local green spaces as identified in the NNP and on the Nettleham inset map within the emerging CLLP. I recommend below a modification to

refine the wording of this policy and which will separate supporting text from the policy itself.

- 7.13 I have looked in detail at the representation made by the Lincolnshire Police. I can understand its security concerns over the designation of part of its premises (space 8) as a local green space. I took the opportunity to walk through the area on my visit. At that time I saw several other groups of people taking advantage of the pleasant walk. I saw that there was appropriate signage in the area. I am satisfied that this area is appropriate to be designated as local green space, and that the designation of the wider suite of fourteen areas meets the basic conditions. The designation of Local Green Spaces neither suggests nor creates any additional access rights over and above those which currently exist. I did however identify that it was difficult to relate the geographical area for local green space 8 (within the Police HQ site) as identified in the NNP to specific features on site. As identified in the emerging CLLP the identified local green space in this location better relates to natural features on the ground. On this basis I recommend that the NNP designation is amended to reflect that in the emerging CLLP. In summary I recommend the following modifications:

Modify opening sentence to read:

The Neighbourhood Plan designates the following locations as Local Green Spaces and as shown on the proposals map.

Modify final sentence to read:

Applications for development on the identified local green spaces which would adversely affect their function as open green spaces will not be permitted.

Modify geographic extent of local green space 8 to reflect that shown on Inset Map 21 of the emerging CLLP

*Amend second paragraph of the green spaces supporting text on p.20 to read:
A detailed assessment and justification for the designation of the fourteen local green spaces against the principles set out in the NPPF can be found in Appendix C.*

Policy E3 Heritage Sites

Policy E4 Buildings of Local Character

- 7.13 These policies set out to safeguard local heritage sites and listed buildings and non-listed buildings within and adjacent to the conservation area. These objectives are appropriate and clearly relate to the character and appearance of the Plan area. However as drafted in the submitted plan they include elements of policy and supporting text, they refer to features not currently shown on the proposals map and they overlap with each other. Whilst their spirit and purpose will remain unchanged I have set out below a series of proposed modifications to these policies and which address the issues identified above.

Replace Policy E3 with the following:

Development proposals will be expected to protect and safeguard the local heritage sites identified in Appendix C. Where appropriate these local heritage sites should be enhanced as part of any adjacent or associated development.

Reposition the wording in the policy in the submitted version of the Plan to the end of the supporting text under the Heritage Sites heading on page 21.

Replace Policy E4 with the following:

Policy E4- Historic Buildings and the Conservation Area

Development proposals will be expected to safeguard listed buildings in the Plan area and unlisted buildings within the conservation area as shown on the proposals map. Where appropriate these various buildings should be incorporated into or enhanced as part of any adjacent development.

Within the conservation area development proposals will be expected to preserve or enhance the character of the area as set out in Appendix H of this Plan.

Amend the heading on page 22 from Buildings of Local Character to Historic Buildings and the Conservation Area.

Identify the boundary of the conservation area on the Proposals Map.

Reposition the wording of Policy E4 in the submitted Plan to the end of the supporting text immediately above this policy (now to be titled Historic Buildings and the Conservation Area).

Policy E5 Nettleham Beck Green Corridor

- 7.14 This policy sets out to safeguard the Beck from inappropriate development. It also provides guidance on how any adjacent development proposals should respect and enhance the Beck and its setting. This policy is appropriate and relevant to the Plan area. I have already commented on the significance and importance of this natural feature in the Plan area.
- 7.15 As set out in the submitted Plan the policy has elements of both policy and supporting text. It also proposes that unspecified development proposals should deliver a series of improvements to the functions of the Beck. I have addressed the former point in recommended modifications to the wording of the policy itself below. On the latter point there is no clear or obvious mechanism for the delivery of the improvements, nor is there any guidance for developers on the types of projects that would be expected to address the issues as specified. On this basis I have also recommended that a revised form of wording (to that set out in the latter part of the policy) is repositioned into supporting text. In summary I recommend the following modifications:

Replace the policy with the following wording:

Development proposals which enhance the setting of the Beck and its associated amenity value will be supported. Where appropriate development proposals adjacent to the Beck should:

- **seek to retain public access and extend access through the formation of waterside walkways; and**
- **preserve and enhance its amenity, biodiversity and recreational value.**

Development proposals which encroach upon or materially harm the function, character or appearance of the Beck will not be supported.

Replace first sentence of supporting text on this matter on p.22 with the following:

The Nettleham Beck is a greatly valued local feature for amenity, recreation and wildlife. It is indicated on the Proposals Map.

Inset the following new paragraph of supporting text at the end of the text in the submitted Plan:

There will be significant opportunities within the Plan period for development proposals to improve the function and appearance of the Beck. The Parish Council encourages developers and landowners to explore opportunities for improved walking access, improved footpath connectivity and the formation of new footbridges. The potential exists for a footbridge connecting to Kerrison Way and linking the development of housing sites B and C as identified elsewhere in this Plan.

Policy D1 Access

- 7.16 This policy addresses the issue of the potential impact of new residential development on the flow of traffic in the NNP area in general, and to and from the A158 and A46 in particular. It is appropriate to the Plan area and serves a practical purpose. For clarity the key policy issue is that any new residential development should be able to demonstrate that there is capacity within the network for it to proceed safely and efficiently. It is on this basis that I recommend the following modification

Replace ‘be locateddevelopment’ with ‘demonstrate that there is sufficient capacity within the local highway network to ensure the free and safe flow of traffic from the sites concerned both to the village centre and’

The County Council has raised observations and concerns about the wording in the associated text on p.24. I agree with its comments as a matter of a factual nature. As such I recommend the following changes to the text in the bottom right text box on that page:

Replace text in bottom right text box on p.24 with the following:

Limited maintenance due to restrictions available to the highways authority

*Replace text in bottom left text box on p.24 with the following:
Reduced level of maintenance of roads and footpaths*

Policy D2 - Pedestrian and Cycling Distances

- 7.17 This policy sets out the NNP's expectations for the incorporation of pedestrian and cycling access into the design of new residential and commercial developments. This approach is both sound and good practice. It will encourage more sustainable travel arrangements in the Plan area. I recommend a range of modifications to this policy so that it meets the basic conditions. In particular I recommend that the focus of the policy is modified slightly so that it refers to the development proposal itself rather than the village centre as a destination. Plainly once cycling and walking facilities are established the users of those developments will make their own choices about how and when they cycle and to which destinations.

Replace policy with the following:

New title – Pedestrian and cycle access

Proposals for residential and commercial development will be expected to incorporate both pedestrian and cycling access into their design. Where relevant and appropriate development proposals should:

- **incorporate routes and access arrangements that minimise distance travel to the village centre; and**
- **connect with existing cycle routes and rights of way; and**
- **address existing physical impediments to safe and easy pedestrian and cycle access; and**
- **safeguard any wider strategic opportunities for cycling and walking facilities in the immediate locality.**

Policy D3 – Parking Provision

- 7.18 This policy identifies specific parking standards for new residential development. The policy sets out minimum parking standards for different sizes of dwellings. This contrasts with the saved policy in the WLDLP which sets out maximum standards.
- 7.19 The Plan provides appropriate evidence to justify such a changed approach. In particular there is a need for new residential development to be self-contained in terms of its provision of off road parking. This will particularly be the case where new developments are proposed in close proximity to the village centre. However as drafted the policy is too detailed and is potentially confusing. I have addressed these issues in the recommended modification below

Replace policy with the following:

New residential developments must provide the following minimum number of off street car parking spaces per dwelling:

1 or 2 bedrooms	2 spaces
3 or 4 bedrooms	3 spaces
5 or more bedrooms	4 spaces

Accessible communal car parking areas of an equivalent provision will be considered as an acceptable alternative in appropriate locations.

Policy D4 - Drainage Strategy

- 7.20 This policy sets out to establish an overall drainage strategy for the Plan area. However its comments are primarily in relation to validation requirements for planning applications. Plainly this is a matter for the District Council to apply. In any event it is a process matter rather than a policy approach. As such I recommend the deletion of this policy.

Delete Policy D4

Policy D5- Sustainable Urban Drainage

Policy D6- Nettleham Beck

- 7.21 These policies set out the Plan's expectations for drainage and surface water run-off both generally and in relation to the Beck in particular. The two policies overlap and include a combination of policy and supporting text. There is also a reference to a flood plain map which appears earlier in the Plan but without sufficient detail or a key to explain its purpose or content.
- 7.22 It is clear to me that these policies serve a local and a distinctive purpose. The village lies in a shallow valley and there is the obvious potential for the frequency and impact of flooding to increase as new development proceeds within the Plan period. However there would be real benefit in the combination of these two policies in order to provide the necessary clarity to comply with national policy. Whilst there is an understandable focus on the Beck in the policies in the submitted Plan a more general approach would serve the Plan area better throughout its life. I have taken account of helpful representations made by both WLDC and Lincolnshire County Council in my recommended modification below. I have also set out to ensure a direct relationship between the proposed modified policy and policy LP14 in the emerging CLLP.

Replace policies D5 and D6 with the following policy

Water Resources and Flood Risk

Applications for planning permission will be required to demonstrate that they have satisfactorily addressed the water resources available in the plan area and the associated flood risks

Flood Risk:

Proposals for development in flood zone 2 as identified on the plan at Appendix (insert new appendix) will be required to demonstrate through reference to the West Lindsey Strategic Flood Risk Assessment and to a site specific flood risk assessment that the proposed development will not increase the flood risk to the site and to other parts of the Plan area in general, and to the Nettleham Beck in particular

Sewage and Drainage:

Applications for new development (other than for minor extensions) will be required to demonstrate that:

- **the development contributes positively to the water environment and to its ecology where possible and does not adversely affect surface and ground water quality; and**
- **any development that has the potential to pose a risk to ground water resources is not located in a sensitive location; and**
- **appropriate sustainable drainage systems have been incorporated into the proposals unless they can be shown to be impractical; and**
- **the design of the scheme incorporates appropriate measures that contribute to the conservation and enhancement of biodiversity and green corridors in the Plan area in general, and to the Nettleham Beck in particular.**

Amend supporting text to reflect the combination of the two policies

Insert additional text at the end of the amended existing text to read:

Policy (insert new number) sets out an approach to address a wide range of drainage and water management issues in the plan area. The issues take account of the emerging policies in the Central Lincolnshire Local Plan and which will provide the other component part of the development plan for the plan area.

Remove plan at top of page 29 and replace with a plan in a separate appendix showing accurate and up-to-date information on flood zones in the Plan area.

Policy D7 – Residential Developments in the Open Countryside

- 7.23 This policy sets out the Plan's approach to proposed residential development in the open countryside. At its heart is an approach that seeks both to protect the

countryside and to concentrate new development within or adjacent to the existing village. This approach gets to the heart of several of the basic conditions. I have recommended a series of modifications to the policy to ensure that it more closely relates to wording in the NPPF, to incorporate the content of Policy D8 and to make a sharper distinction between policy and supporting text. Within the proposed revised supporting text I have also ensured that this policy is consistent with the housing allocations set out elsewhere in the NNP. In summary I recommend the following modifications:

Replace policy with the following:

New residential developments will be resisted unless they are adjacent to the existing continuous built form of Nettleham.

Isolated dwellings in the countryside will not be supported.

Proposed new residential development along the principal access roads into the village will only be permitted where those proposals would not extend the linear format of the settlement.

Reposition the description of the continuous built form of the village in the policy to a new second paragraph of supporting text under this heading on p32.

Reposition existing supporting text from p.33 so that it follows on from this new paragraph.

Insert an additional paragraph of text to read:

Policy D7 should be read in association with the wider Plan and the Proposals Maps. The Housing section of the Plan proposes four housing sites, three of which are located immediately adjacent to the existing continuous built form of the village. Policy H1 also indicates that these four sites will represent the vast majority of new residential development in the Plan area.

Policy D8 – Residential Developments on Approach Roads

- 7.24 This policy set out to provide policy guidance for residential developments on approach roads. I have recommended in paragraph 7.23 above that it is incorporated into Policy D7 for clarity and simplicity.

Delete Policy D8

Policy D9 – Design of New Development

- 7.25 This policy provides guidance on the standards expected for new development. Given the nature of the Plan area and the guidance in the NPPF this policy is entirely appropriate and meets the basic conditions. It also usefully ties into existing Nettleham Design Statement. I have proposed a series of modifications to give this policy and its supporting text complete clarity.

Modify the following elements of the policy:

Criterion a) to read:

Recognising and reinforcing the distinct local character (as set out in the character assessment and the Village Design Statement 2008) in relation to height, scale, density, spacing, layout orientation, features and materials of buildings.

Criterion b) to read:

Designing housing proposals to reflect existing residential densities in the locality of the scheme

Criterion d) – delete second sentence

Criterion e) – delete final sentence

Criterion h) - delete ‘consideration of’ at the start and insert ‘where appropriate’ at the end

Policy H1 – Managed Housing Growth

- 7.26 This policy sets the scene for future residential development in the Plan area. It identifies the broad distribution of new housing growth; it seeks to establish a cap on the size of any new residential scheme, and proposes mechanisms to ensure that new residential development is phased. The integration of new development into the community is the underlying theme of the policy.
- 7.27 It is clear from the supporting text that significant work has been carried out on this matter. Four housing sites have been identified which will both contribute to local and strategic growth and will assist in meeting the need for affordable housing in the Plan area. As mentioned earlier these sites have been included in the emerging CLLP. I have considered carefully the need to have a cap on the size of new residential areas and its relationship to the basic conditions. Overall I am satisfied that in principle this matter meets the basic conditions. However as drafted the approach is prescriptive and may prevent innovative and attractive proposals from coming forward. The successful incorporation of these sites into the wider geography of the Plan area will be as much about the way they are arranged and designed in relation to the wider landscape and existing dwellings as the mathematical yield of the site itself. On this basis I have recommended a modification that provides a degree of flexibility on this matter. In coming to this view I am aware that there has been considerable developer interest in the Plan area in recent months. There is a current planning application for 68 dwellings on the Scothern Road site. The potential yield on this site is reflected in the emerging CLLP. There is also a current application in the area to the north of the Hawthorns. In addition development proposals are well-advanced on the Deepdale

Road site and which demonstrate a potentially higher yield. In doing so the site would provide specialist housing for the elderly.

- 7.28 The policy also identifies a mechanism to address the issue of the phasing of new residential development throughout the Plan period. As drafted its intentions are not fully clear. In addition the mechanism of linking subsequent planning permissions to a five year period from the start of construction on the first of the four sites may be difficult to apply. I have recommended modifications to make this element of the policy simpler for the local planning authority to apply. Its purpose however remains unchanged. In summary I recommend the following modifications:

The primary focus of new residential development in the Plan area will be within the four allocated housing sites identified on the Proposals Map. These housing sites will each be restricted to a yield of 50 homes unless it can be demonstrated that their proposed design, layout and dwelling numbers can be satisfactorily incorporated into their topography and landscape settings. Planning applications for the four allocated housing sites in this Plan will be supported where they demonstrate through the submission and approval of a construction management plan that their development can be satisfactorily incorporated into the community.

Policy H2 - Housing Mix

- 7.29 This policy sets out the Plan's intentions to ensure that new housing is of an appropriate type and size. It is underpinned with detailed information and is entirely appropriate. As drafted it includes elements of supporting text. I have also proposed some modifications to the wording of the policy itself so that its requirements are clear. In summary I recommend the following modification.

Modify policy to read:

Applications for 11 or more dwellings will be required to produce a mix of dwelling types and sizes to meet the identified needs of current and future households in Nettleham.

Applications proposing uniform types and sizes of dwellings will not be supported.

*Include the following additional text at the end of the final paragraph on page 41:
Policy H2 sets out an approach to address these issues. The mix of dwellings required by the first part of the policy should reflect the emerging Central Lincolnshire Local Plan requirements. In particular there should be an emphasis on smaller homes (both low cost and also to a higher build standard) rather than larger family homes.*

Policy H3- Housing for Older People

- 7.30 This policy sets out the community's approach to the delivery of older persons' housing. The evidence base overlaps with Policy H2. I am satisfied that the principle of a policy of this nature meets the basic conditions. It gets to the very heart of the social dimension of sustainable development in the Plan area. However most of the policy as drafted is supporting text. This is reflected in my proposed modifications as follows:

Modify policy to read:

All housing developments will be required to incorporate appropriate provision for older persons' housing.

Insert additional text at the end of the supporting text on this matter on page 43:

Policy H3 requires all housing developments to make provision for older persons' housing as appropriate. This provision could be achieved through bungalows and homes which are flexible to cope with changing needs of their occupants.

Whilst Site D in this Plan has been identified as the most suitable in the Plan area for the provision of older persons' homes it will not alone meet the identified need. Schemes to address the wider need will be actively encouraged in appropriate sustainable locations.

Policy H4 - Affordable Housing Element

Policy H5- Affordable Housing Criteria

- 7.31 These policies require the provision and retention of an appropriate level of affordable housing on new residential developments. The policies reflect the sensitive balance between wage levels and house prices in the Plan area. The Plan also usefully sets out its ambition to support a diverse and vibrant community with a balance of age groups. Policy H4 reflects the emerging nature of the CLLP and sets out a policy that would require development plan targets to be applied in the NNP area. This is a sensible and practical approach both in its own right and given several recent national policy and legal changes affecting the delivery of affordable housing through the planning system. In order to give both policies greater clarity and to ensure a degree of future-proofing I recommend that the policies are combined to form a single policy. I also propose other modifications to ensure a stronger degree of overlap with Policy LP11 in the emerging Local Plan. On this basis I recommend the following modifications

Replace Policy H4 and H5 with:

The provision of Affordable Housing

New residential developments will be required to include an element of affordable/low cost housing in accordance with policies contained in the development plan.

The affordable housing element will be expected to provide an appropriate balance of house size, type and tenure to meet the housing needs of the local community.

Affordable housing units should be delivered on the application site concerned unless it can be demonstrated that exceptional circumstances exist to necessitate equivalent provision on another site and/or the making of a payment for other off-site provision.

In all circumstances affordable housing units should be seamlessly integrated into the wider layout of the housing sites concerned.

Policy H6 Housing Site A (Deepdale Lane).

- 7.32 This policy sets out detailed criteria for the development of Site A (Deepdale Lane) and as identified in Policy H1. It is supported in the plan itself by a detailed map.
- 7.33 I am satisfied that the site is appropriate and that its allocation meets the basic conditions. It actively promotes growth and does so in a fashion that will result in the creation of sustainable development. A representation made on behalf of the landowner and potential developer indicates that there is active interest in bringing it forward.
- 7.34 The criteria associated with the site allocation are appropriate in terms of the issues they address. I recommend a series of modifications to ensure that the criteria are clear and precise in their intent. For clarity I also recommend that the various matters are annotated on the more detailed map that accompanies this policy.

Add the following sentence to opening part of policy to read:

Land is allocated for residential development to the north of Deepdale Lane and as shown as Site A on the Proposals Map.

For all criteria (except e) – start criteria with ‘The provision of...’

Criterion a) – delete (as it duplicates the policy itself).

Criterion e) - replace with ‘the formation of safe and convenient cycle access to the site from Deepdale Lane and National Cycle Route 1.

Annotate all the criteria as set out in the policy on the associated detailed map of the site.

Modify the associated text to read:

The land to the north of Deepdale Lane is one of the four allocated housing sites as set out in Policy H1. Its proposed development is set out below in Policy H6. The various detailed elements are indicated on the more detailed plan at the end of the policy. Insert existing sentence in text ‘Access to....road.’ The site is adjacent to Deepdale Lane and the National Cycling Route 1 which runs through the village. This

matter is addressed in criterion e) in the policy. Subject to negotiation it may be appropriate for the developer to contribute to improvements of this cycling route as part of the development of the site.

Policy H7 Housing Site B (Scothern Road).

- 7.35 The format of this policy is identical to that of Policy H6 and as I have set out in paragraph 7.32 above.
- 7.36 I am satisfied that the site is appropriate and that its allocation meets the basic conditions. It actively promotes growth and does so in a fashion that will result in the creation of sustainable development. The site sits comfortably to the immediate east of existing residential properties on Scothern Road and High Leas. It is less self-contained by natural or physical features than Site A. This matter is reflected in the range of criteria associated with the development of the site. In some cases the criteria include both policy elements and supporting text.
- 7.37 The criteria associated with the site allocation are appropriate in terms of the issues they address. As with site A I recommend a series of modifications to ensure that the criteria are clear and precise in their intent. For clarity I also recommend that the various matters are annotated on the more detailed map that accompanies this policy. I have recommended the deletion of criterion c) as set out in the submitted plan. Whilst I have sympathy for its ambitions its delivery and extent is unclear. In any event as drafted it merely asks that consideration should be given to the matter. In summary I recommend the following modifications:

Add the following sentence to opening part of policy to read:

Land is allocated for residential development to the east of Scothern Road and as shown as Site B on the Proposals Map.

Modify the criteria to read:

- a) the existing footpath (FP149) is retained and strengthened as part of the development of the site; and**
- b) the creation of a 15 metre planting buffer along the south eastern and eastern boundary of the site; and**
- c) delete**
- d) the retention of a minimum of 50% of the mature trees and hedgerow that runs in a south-easterly direction from the eastern end of High Leas (and as shown on the detailed map with this policy); and**
- e) the appropriate safeguarding of the archaeological feature to the south of High Leas (and as shown on the detailed map with this policy); and**
- f) the formation of safe and convenient cycle access to the site and National Cycle Route 1; and**
- g) the creation of a satisfactory vehicular access into the site; and**
- h) the incorporation of allotments on the site.**

Annotate all the criteria as set out in the policy on the associated detailed map of the site.

Modify supporting text as follows:

The land to the east of Scothern Road is one of the four allocated housing sites as set out in Policy H1. Its proposed development is set out below in Policy H7. The various design elements are indicated on the more detailed plan at the end of the policy.

The development of the site will need to address a range of environmental and access issues. There are a range of existing hedgerows and trees which will provide considerable opportunity for the new dwellings to be sensitively incorporated into the landscape. There will however be a need to introduce a substantial landscape buffer to the south eastern and immediate eastern boundaries of the site. The field archaeological feature to the south of High Leas is a potentially important component of the site. The Plan anticipates that the feature will be investigated for its archaeological value and that an appropriate watching brief is put in place as development proceeds. The site has significant potential to incorporate allotments into its design and layout. This matter should be addressed in the submission of the initial planning application for the development of the site.

There are several potential ways by which vehicular access can be achieved into the site. One such option involves the demolition of No.72 Scothern Road. Full details of the proposed access will be required to be submitted as part of the initial application for the development of the site. The routeing and operation of construction traffic to the site will also need careful consideration. Again this matter will need to be addressed early within the planning process

The site is adjacent to Scothern Road and the Sustrans National Cycling Route 1 which runs through the village. This matter is addressed in criterion f) in the policy. Subject to negotiation it may be appropriate for the developer to contribute to improvements to this cycle route as part of the development of the site.

Policy H8 Housing Site C (The Hawthorns)

- 7.38 The format of this policy is identical to that of Policy H6 and H7 and as I have set out in paragraphs 7.32 and 7.35 above.
- 7.39 Local residents and developers have raised a series of representations about this site at the submission stage. Those local residents who have commented suggest that other sites in the village would be better placed to accommodate housing growth. However the selection of Site C and the other housing sites has followed an exhaustive process, and I am satisfied that the amenities of adjoining residents can be properly safeguarded. I address this matter in my recommended modifications.

- 7.40 Developers have suggested that a more extensive site in this part of the village should be identified for new residential development. Whilst my examination of the Plan was taking place I was made aware of the submission of a planning application for residential development in this part of the village. It incorporates the land within Site C together with other land to the east of Larch Avenue and to the north running up to the Beck. The application proposes up to 200 dwellings with associated public open space, woodland planting and a potential sports pitch facility.
- 7.41 Plainly a decision on this application will be made by WLDC as the local planning authority. My role is to assess the submitted plan against the basic conditions associated with the preparation of neighbourhood plans. In this regard I have commented earlier that I am satisfied that the NNP meets the basic conditions in general terms. I have made individual comments on each proposed housing site and the four sites are also identified in the emerging CLLP. That plan will be tested for soundness in due course including its ability to meet the objectively assessed housing need of the Central Lincolnshire plan area.
- 7.42 Representations made by both Beal Developments and John Dixon Homes rehearse the issues that are contained in the current planning application. They contend that a larger site (currently being promoted through the planning application) is better placed to meeting the aspirations of the community and to preserve the natural wetland environment of the Beck. The representations acknowledge that policy H8 includes a schedule of specific requirements including the provision of footpath links and a bridge across the Beck. They then go on to raise fundamental concerns about the deliverability of these requirements given the number of houses identified for delivery on site C alongside the affordable housing requirements and any other likely planning requirements.
- 7.43 Having considered all the information I am satisfied that the inclusion of the site in the NNP meets the basic conditions. It actively promotes growth and does so in a fashion that will result in the creation of sustainable development. Whilst I can see that there is an ongoing debate on the scale and content of future residential development in this part of the village there is no direct evidence before me to the effect that the site as identified in the NNP is incapable of development for residential purposes. The District Council and the Central Lincolnshire planning authorities have chosen to include the site in the emerging local plan and there is active developer interest in the site and its surrounding areas.
- 7.44 My recommended modifications to this policy follow a similar format to those for Policies H6 and H7. For this particular site I have proposed three specific modifications which impact on both the policy itself and the supporting text. The first relates to the residential amenities of existing adjacent houses. This is particularly important given the position of certain houses in the northern part of The Hawthorns and in Ridgeway and Brookfield Avenue. The second relates to the provision of clarity on the vehicular access into the site. The third relates to the series of criteria associated with the policy. As currently drafted they require works to be undertaken

of an uncertain specification outside the allocated site. This point overlaps with elements of the representations made by Beal Developments and John Dixon Homes.

7.45 On this basis I recommend the following linked series of modifications:

Add the following sentence to the opening part of policy to read:

Land is allocated for residential development to the north of The Hawthorns and as shown as Site C on the Proposals Map

Modify the criteria to read:

- a) the provision of a satisfactory vehicular access; and**
- b) the design, layout and vehicular access into the site shall respect and safeguard the residential amenities of the existing residential properties in The Hawthorns, Ridgeway and Brookfield Avenue; and**
- c) the provision of a footpath within the site and alongside the existing hedge running north-south (and as shown on the detailed map with this policy).**

Annotate criteria a) and c) as set out in the policy on the associated detailed map of the site. In the case of the access issue identify the position of both identified options.

Modify supporting text to read as follows:

The land to the north of The Hawthorns is one of the four allocated housing sites as set out in Policy H1. Its proposed development is set out below in Policy H8. The various elements are indicated on the more detailed plan at the end of the policy.

The detailed map shows the two possible points by which vehicular access could be achieved into the site. This matter will need to be resolved as part of the submission of the first planning application for the development of this site. The positioning and design of the vehicular access will be required to respect and safeguard the amenities of the surrounding residential properties.

The development of the site offers significant potential to provide access to the countryside to the north in general, and to the Beck in particular. The policy requires the creation of a new footpath through the site. Subject to land ownership issues and wider discussions associated with planning applications there is the potential for this footpath to extend outside the allocated site.

Policy B1 – Business Sites

7.46 This policy seeks to safeguard two parcels of land for employment purposes. Whilst Nettleham is primarily a residential area it has some existing local businesses. Their retention and possible diversification and expansion will contribute significantly to the promotion of sustainable development in the Plan area. I saw from my visit to the Plan area that the two sites were similar in terms of their locations on the edge of the

village but very different in terms of their delivery of employment opportunities. On the one hand the site off Deepdale Lane is largely developed out as an employment site. On the other hand the site off Lodge Lane is undeveloped and remains in agricultural use.

- 7.47 A representation has been made on behalf of the owners of the site off Lodge Lane that the site has been marketed for employment purposes without success. That representation also indicates that a planning application is being developed for a mixed use of the site incorporating both residential and employment development. Plainly any planning application of this type would be a matter for the WLDC to determine.
- 7.48 The wider issue of the long term protection of employment land is addressed in national policy. Paragraph 22 of the NPPF is very clear in indicating that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It goes on to indicate that in those circumstances applications for alternative uses should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Given that business development has not proceeded on this site since its allocation in the saved local plan there will be merit in introducing a degree of flexibility in the longer term uses of this site. This would accord with national planning policy and therefore meet the basic conditions. This approach will also relate to the emerging CLLP Policy LP5 which establishes a similar approach in its section on the Loss of Employment sites or buildings. This is reflected in my recommended modifications to the policy and associated text below:

Modify the policy to read:

Land identified on the proposals map at Deepdale Lane (NE/1) and at Lodge Lane (NE/2) will be safeguarded for employment purposes.

Planning applications for mixed employment and residential development on the Lodge Lane site will be considered on their merits and based on an assessment of the following factors:

- a) the relative scale and size of the different land uses proposed and their physical relationships; and**
- b) information submitted identifying the commercial and viability relationship between the mix of uses proposed; and**
- c) the phasing and delivery of the differing components.**

Add new supporting text to the end of the second paragraph of on page 50 as follows:

Policy B1 provides a degree of commercial flexibility in order to bring forward the early delivery of the Lodge Lane site. This approach accords with national policy as set out in paragraph 22 of the NPPF. However the underlying ethos of the policy is to

safeguard and bring forward the development of the Lodge Lane site for employment use.

Policy S1 – Services and Facilities

- 7.49 This policy seeks to protect a series of community services and facilities from proposals that would bring about their loss or significant harm. This policy strikes at the heart of the social dimension of sustainable development and it is clear from the consultation exercises that the various facilities are valued and well used by the community. The policy meets the basic conditions.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a wide range of policies to guide and direct development proposals in the period up to 2031. It is concise and distinctive in addressing a specific set of issues that have been identified and refined by the wider community. It positively promotes sustainable growth in general and housing development in particular.
- 8.2 Following my independent examination of the Plan I have concluded that the Nettleham Neighbourhood Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 Whilst I have proposed modifications to several policies and elements of supporting text the Plan itself remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report I recommend to the West Lindsey District Council that subject to the incorporation of the modifications set out in this report that the Nettleham Neighbourhood Plan should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view the neighbourhood area is appropriate and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 8 January 2013.
- 8.6 It is very clear to me that a huge amount of hard work and dedication has been injected into the preparation of this Plan. I would like to record my thanks to all those who have assisted me in a variety of ways in the examination of the Plan. I am particularly grateful to those who have patiently and kindly responded to my requests for information and clarification throughout this time.

Andrew Ashcroft
Independent Examiner
30 September 2015

Appendix 3: Decision Statement – Caistor Neighbourhood Plan

In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, West Lindsey District Council have produced this 'Decision Statement' in relation to the Caistor Neighbourhood Development Plan submitted to them by Caistor Town Council.

1.2 Following an independent examination of written representations, West Lindsey District Council now confirms that the Neighbourhood Plan will proceed to a neighbourhood planning referendum.

1.3 In accordance with the examiner's recommendation, the Neighbourhood Plan **will** proceed to a public referendum scheduled for the 28th January 2016, based on the Caistor Neighbourhood Area as approved by West Lindsey District Council on 3rd September 2013.

1.4 The decision statement and examiners report are posted on the District Council's website www.west-lindsey.gov.uk/neighbourhoodplans

Background

On the 13th June 2013 Caistor Town Council submitted an application to West Lindsey District Council for the designation of the Parish of Caistor as a Neighbourhood Area. The approval of the Neighbourhood Area Designation, for the Caistor Neighbourhood Plan, was made on the 3rd September 2013.

2.2 The Town Council completed the Draft Neighbourhood Development Plan for Caistor at the end of 2014. A 6 week consultation period was held ending in September 2014.

2.3 The Submission version of the Neighbourhood Plan for Caistor was completed in January 2015 and submitted to the Council; West Lindsey District Council held a 6 week consultation period on the document from the 9th February until the 6th April 2015.

2.4 An Independent Examiner was appointed on the 18th June to undertake the examination of the Submission version of the Caistor Neighbourhood Plan and this was completed with the examination report sent to both the Town Council and District Council on the 15th September 2015.

Following a meeting with strategic management for Planning and the cabinet member for planning on the 8th December 2015, the Council has determined that the recommended modifications to the Caistor Neighbourhood Plan meet the 'basic conditions'. It was agreed that all of the recommended modifications made by the independent examiner be included and revised in the original Neighbourhood Plan in order for it to proceed to public referendum.

Therefore, to meet the requirements of the Localism Act 2011, a referendum which poses the question:

"Do you want West Lindsey District Council to use the Neighbourhood Plan for Caistor to help it decide planning applications in the neighbourhood area?"

The referendum is proposed for the 28th January 2016 and a Referendum Statement will be produced and publicised on our website and in the local press nearer to the time.

Appendix 4: Decision Statement – Nettleham Neighbourhood Plan

In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, West Lindsey District Council have produced this 'Decision Statement' in relation to the Nettleham Neighbourhood Development Plan submitted to them by Nettleham Parish Council.

Following an independent examination of written representations, West Lindsey District Council now confirms that the Neighbourhood Plan will proceed to a neighbourhood planning referendum.

In accordance with the examiner's recommendations, the Neighbourhood Plan **will** proceed to a public referendum scheduled for the **28th January 2016**, based on the Nettleham Neighbourhood Area as approved by West Lindsey District Council on 8th January 2013.

The decision statement and examiners report are posted on the District Council's website www.west-lindsey.gov.uk/neighbourhoodplans

Background

In November 2012, Nettleham Parish Council submitted an application to West Lindsey District Council for the designation of the Parish of Nettleham as a Neighbourhood Area. The approval of the Neighbourhood Area Designation, for the Nettleham Neighbourhood Plan, was made on the 8th January 2013.

The Parish Council completed the Draft Neighbourhood Development Plan for Nettleham at the end of 2014. A 6 week consultation period was held ending in January 2015.

The Submission version of the Neighbourhood Plan for Nettleham was completed in May 2015 and submitted to the Council; West Lindsey District Council held a 6 week consultation period on the document through June and early July 2015.

An Independent Examiner was appointed on the 3rdth August to undertake the examination of the Submission version of the Nettleham Neighbourhood Plan and this was completed with the examination report sent to both the Parish Council and District Council on the 30th September 2015.

Following a meeting with strategic management for Planning and the committee for prosperous communities on the 8th December 2015, the Council has determined that the recommended modifications to the Nettleham Neighbourhood Plan meet the 'basic conditions'. It was agreed that the majority of the recommended modifications proposed by the independent examiner be included and revised in the original Neighbourhood Plan in order for it to proceed to public referendum.

The referendum is proposed for the **28th January 2016** and a Referendum Statement will be produced and publicised on our website and in the local press nearer to the time.

Decision and Reasons

In liaison with strategic management and the Council's local Councillors, the Neighbourhood Planning Policy Officer has determined that the additional modifications (proposed by Nettleham Neighbourhood Plan group) as set out in the Decision Statement are in accordance with the examiner's recommendations and ensure that the Plan meets the Basic Conditions.

Table 1 (below) sets out the examiner's recommended modifications and the Council's decisions in respect of each of them.

Therefore, to meet the requirements of the Localism Act 2011, a referendum which poses the question:

“Do you want West Lindsey District Council to use the Neighbourhood Plan for Nettleham to help it decide planning applications in the neighbourhood area?”

The Referendum will be held in the Parish of Nettleham on the 28th January 2015.

Table 1: Statement and reasons

NDP policy Number	Examiners Recommendation	WLDC Action
Policies general	Include the Proposals Map within the Plan itself rather than as a separate appendix	Agreed and revised
E1 Green Wedge	Revise the boundary of the Green Wedge to that included in the saved Local Plan.	Agreed and revised
E2:	<p>Modify opening sentence to read: The Neighbourhood Plan designates the following locations as Local Green Spaces and as shown on the proposals map.</p> <p>Modify final sentence to read: Applications for development on the identified local green spaces which would adversely affect their function as open green spaces will not be permitted.</p> <p>Modify geographic extent of local green space 8 to reflect that shown on Inset Map 21 of the emerging CLLP</p>	Agreed and revised
E3: Heritage	Replace Policy E3 with the following: Development proposals will be expected to protect and safeguard the local heritage sites identified in Appendix C. Where appropriate these local heritage sites should be enhanced as part of any adjacent or associated development.	Agreed and revised
E4: Historic buildings and the Conservation Area	Replace Policy E4 with the following: Policy E4- Historic Buildings and the Conservation Area Development proposals will be expected to safeguard listed buildings in the Plan area and unlisted buildings within the conservation area as shown on the proposals map. Where appropriate these various buildings should be incorporated into or enhanced as part of any adjacent development. Within the conservation area development proposals will be expected to preserve or enhance the character of the area as set out in Appendix H of this Plan.	Agreed and revised

NDP policy Number	Examiners Recommendation	WLDC Action
E5: Nettleham Beck	<p>Replace the policy with the following wording:</p> <p>Development proposals which enhance the setting of the Beck and its associated amenity value will be supported. Where appropriate development proposals adjacent to the Beck should:</p> <ul style="list-style-type: none"> • seek to retain public access and extend access through the formation of waterside walkways; and • preserve and enhance its amenity, biodiversity and recreational value. <p>Development proposals which encroach upon or materially harm the function, character or appearance of the Beck will not be supported.</p>	Agree and revised
D1: Access	<p>Replace 'be locateddevelopment' with 'demonstrate that there is sufficient capacity within the local highway network to ensure the free and safe flow of traffic from the sites concerned both to the village centre and'....</p> <p>Replace text in bottom right text box on p.24 with the following: Limited maintenance due to restrictions available to the highways authority Nettleham Neighbourhood Plan – Examiner’s Report Page 18</p> <p>Replace text in bottom left text box on p.24 with the following: Reduced level of maintenance of roads and footpaths</p>	Agreed and revised
D2: Pedestrian and cycling distances	<p>Replace policy with the following:</p> <p>New title – Pedestrian and cycle access</p> <p>Proposals for residential and commercial development will be expected to incorporate both pedestrian and cycling access into their design. Where relevant and appropriate development proposals should:</p>	Agreed and revised

NDP policy Number	Examiners Recommendation	WLDC Action
	<ul style="list-style-type: none"> • incorporate routes and access arrangements that minimise distance travel to the village centre; • connect with existing cycle routes and rights of way; • address existing physical impediments to safe and easy pedestrian and cycle access; and • safeguard any wider strategic opportunities for cycling and walking facilities in the immediate locality. 	
D3 Parking provision	<p>Replace policy with the following:</p> <p>New residential developments must provide the following minimum number of off street car parking spaces per dwelling:</p> <p>1 or 2 bedrooms 2 spaces</p> <p>3 or 4 bedrooms 3 spaces</p> <p>5 or more bedrooms 4 spaces</p> <p>Accessible communal car parking areas of an equivalent provision will be considered as an acceptable alternative in appropriate locations.</p>	Agreed and revised
D4: Drainage Strategy	Delete Policy D4	Agreed and Revised
D5 and D6: Drainage	<p>Replace policies D5 and D6 with the following:</p> <p>policy Water Resources and Flood Risk Applications for planning permission will be required to demonstrate that they have satisfactorily addressed the water resources available in the plan area and the associated flood risks Flood Risk:</p> <p>Proposals for development in flood zone 2 as identified on the plan at Appendix (insert new appendix) will be required to demonstrate through reference to the West Lindsey Strategic Flood Risk Assessment and to a site specific flood risk assessment that the proposed development will not increase</p>	Agreed and revised

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	<p>the flood risk to the site and to other parts of the Plan area in general, and to the Nettleham Beck in particular</p> <p>Sewage and Drainage: Applications for new development (other than for minor extensions) will be required to demonstrate that:</p> <ul style="list-style-type: none"> • the development contributes positively to the water environment and to its ecology where possible and does not adversely affect surface and ground water quality; • any development that has the potential to pose a risk to ground water resources is not located in a sensitive location; • appropriate sustainable drainage systems have been incorporated into the proposals unless they can be shown to be impractical; • the design of the scheme incorporates appropriate measures that contribute to the conservation and enhancement of biodiversity and green corridors in the Plan area in general, and to the Nettleham Beck in particular. 	
D7: Residential developments in the countryside	<p>Replace policy with the following:</p> <p>New residential developments will be resisted unless they are adjacent to the existing continuous built form of Nettleham. Isolated dwellings in the countryside will not be supported. Proposed new residential development along the principal access roads into the village will only be permitted where those proposals would not extend the linear format of the settlement.</p> <p>Reposition the description of the continuous built form of the village in the policy to a new second paragraph of supporting text under this heading on p32.</p> <p>Reposition existing supporting text from p.33 so that it follows on from this new paragraph. Insert an additional paragraph of text to read:</p>	Agreed and revised

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	<p>Policy D7 should be read in association with the wider Plan and the Proposals Maps.</p> <p>The Housing section of the Plan proposes four housing sites, three of which are located immediately adjacent to the existing continuous built form of the village. Policy H1 also indicates that these four sites will represent the vast majority of new residential development in the Plan area.</p>	
D8: Residential developments on approach roads	Delete Policy D8	Agreed and revised
D9: Design of new development	<p>Modify the following elements of the policy criterion:</p> <p>a) to read: Recognising and reinforcing the distinct local character (as set out in the character assessment and the Village Design Statement 2008) in relation to height, scale, density, spacing, layout orientation, features and materials of buildings.</p> <p>b) Criterion b) to read: Designing housing proposals to reflect existing residential densities in the locality of the scheme</p> <p>Criterion d) – delete second sentence</p> <p>Criterion e) – delete final sentence</p> <p>Criterion h) - delete ‘consideration of’ at the start and insert ‘where appropriate’ at the end</p>	<p>Agreed, however the Neighbourhood Plan Group have requested that the date stated after the Village Design Statement reference is removed – in order to cater for any ‘update’ Village Design Statement in the future.</p>
H1: Managed housing growth	<p>Revise the policy with the following:</p> <p>The primary focus of new residential development in the Plan area will be within the four allocated housing sites identified on the Proposals Map. These housing sites will each be restricted to a yield of 50 homes unless it can be demonstrated that their proposed design, layout and dwelling numbers can be satisfactorily incorporated into their topography and landscape settings. Planning applications for the four allocated housing sites in this Plan will be supported where they demonstrate through</p>	<p>It was agreed that clarity on some of the points raised by the examiner should be sought. Although these would not change the intention of the policy, further explanatory text is needed and has been suggested by the group</p> <p>‘The primary focus of new residential development in the Plan area will be within</p>

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	<p>the submission and approval of a construction management plan that their development can be satisfactorily incorporated into the community.</p>	<p>the four allocated housing sites identified on the Proposals Map.</p> <p>These housing sites will each be restricted to a yield of 50 homes unless it can be demonstrated that their proposed design, layout and dwelling numbers can be satisfactorily incorporated into the Community and also their topography and landscape settings.</p> <p>Planning applications for the four allocated housing sites in this Plan will be supported where they demonstrate through the submission and approval of a construction management plan that their development will not have any unacceptable impacts on the community'.</p> <p>WLDC has agreed that these amendments would not impact the basic conditions.</p>
H2: Housing Mix	<p>Modify policy to read:</p> <p>Applications for 11 or more dwellings will be required to produce a mix of dwelling types and sizes to meet the identified needs of current and future households in Nettleham. Applications proposing uniform types and sizes of dwellings will not be supported.</p>	Agreed and revised
H3: Housing for older people	<p>Modify policy to read:</p> <p>All housing developments will be required to incorporate appropriate provision for older persons' housing.</p>	Agreed and revised
H4 and H5 Affordable housing element and criteria	<p>Replace Policy H4 and H5 with:</p> <p>The provision of Affordable Housing New residential developments will be required to include an element of affordable/ low cost</p>	Agreed and revised

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	<p>housing in accordance with policies contained in the development plan.</p> <p>The affordable housing element will be expected to provide an appropriate balance of house size, type and tenure to meet the housing needs of the local community. Affordable housing units should be delivered on the application site concerned unless it can be demonstrated that exceptional circumstances exist to necessitate equivalent provision on another site and/or the making of a payment for other off-site provision. In all circumstances affordable housing units should be seamlessly integrated into the wider layout of the housing sites concerned.</p>	
H6: Housing Allocation A	<p>Add the following sentence to opening part of policy to read:</p> <p>Land is allocated for residential development to the north of Deepdale Lane and as shown as Site A on the Proposals Map.</p> <p>For all criteria (except e) – start criteria with ‘The provision of...’ Criterion a) – delete (as it duplicates the policy itself). Criterion e) - replace with ‘the formation of safe and convenient cycle access to the site from Deepdale Lane and National Cycle Route 1.</p> <p>Modify the associated text to read: The land to the north of Deepdale Lane is one of the four allocated housing sites as set out in Policy H1. Its proposed development is set out below in Policy H6. The various detailed elements are indicated on the more detailed plan at the end of the policy. Insert existing sentence in text ‘Access to....road.’ The site is adjacent to Deepdale Lane and the National Cycling Route 1 which runs through the village.</p> <p>This, Subject to negotiation it may be appropriate for the developer to contribute to improvements of this cycling route as part of the development of the site.</p>	Agreed and revised
H7: Allocation Site B	<p>Add the following sentence to opening part of policy to read:</p>	

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	<p>Land is allocated for residential development to the east of Scothern Road and as shown as Site B on the Proposals Map.</p> <p>Modify the criteria to read:</p> <ul style="list-style-type: none"> a) the existing footpath (FP149) is retained and strengthened as part of the development of the site; b) the creation of a 15 metre planting buffer along the south eastern and eastern boundary of the site; c) delete d) the retention of a minimum of 50% of the mature trees and hedgerow that runs in a south-easterly direction from the eastern end of High Leas (and as shown on the detailed map with this policy); e) the appropriate safeguarding of the archaeological feature to the south of High Leas (and as shown on the detailed map with this policy); and f) the formation of safe and convenient cycle access to the site and National Cycle Route 1; g) the creation of a satisfactory vehicular access into the site; and h) The incorporation of allotments on the site. <p>The supporting text will also be modified.</p>	
H8 Allocation site C	<p>Add the following sentence to the opening part of policy to read:</p> <p>Land is allocated for residential development to the north of The Hawthorns and as shown as Site C on the Proposals Map Modify the criteria to read:</p> <ul style="list-style-type: none"> a) the provision of a satisfactory vehicular access; 	Agreed and revised

NDP policy Number	Examiners Recommendation	WLDC Action
	<p>b) the design, layout and vehicular access into the site shall respect and safeguard the residential amenities of the existing residential properties in The Hawthorns, Ridgeway and Brookfield Avenue;</p> <p>c) the provision of a footpath within the site and alongside the existing hedge running north-south (and as shown on the detailed map with this policy).</p>	
B1: Business Sites	<p>Modify the policy to read:</p> <p>Land identified on the proposals map at Deepdale Lane (NE/1) and at Lodge Lane (NE/2) will be safeguarded for employment purposes. Planning applications for mixed employment and residential development on the Lodge Lane site will be considered on their merits and based on an assessment of the following factors:</p> <p>a) the relative scale and size of the different land uses proposed and their physical relationships;</p> <p>b) information submitted identifying the commercial and viability relationship between the mix of uses proposed;</p> <p>c) the phasing and delivery of the differing components.</p>	<p>This has been requested by the NPG to be deleted as the proposed modification does not reflect the wishes of the community.</p> <p>WLDC has agreed and this policy will be deleted from the Neighbourhood Plan.</p>