

Guildhall Gainsborough
Lincolnshire DN21 2NA
Tel: 01427 676676 Fax: 01427 675170

AGENDA

This meeting will be recorded and the video archive published on our website

Prosperous Communities Committee
Tuesday, 28th February, 2017 at 6.00 pm
Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members:

- Councillor Sheila Bibb (Chairman)
- Councillor Gillian Bardsley (Vice-Chairman)
- Councillor Steve England (Vice-Chairman)
- Councillor Owen Bierley
- Councillor Michael Devine
- Councillor Paul Howitt-Cowan
- Councillor Mrs Jessie Milne
- Councillor Malcolm Parish
- Councillor Mrs Diana Rodgers
- Councillor Lesley Rollings
- Councillor Thomas Smith
- Councillor Trevor Young

1. Apologies for Absence

2. Members' Declarations of Interest

Members may make any declarations at this point but may also make them at any time during the course of the meeting.

3. Public Reports

- a) Saxilby Neighbourhood Plan (PAGES 1 - 40)

M Gill
Chief Executive
The Guildhall
Gainsborough

20 February 2017

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**Prosperous Communities
Committee**

Date: 28th February 2017

Subject: Saxilby with Ingleby Neighbourhood Plan Public Referendum

Report by:

Chief Operating Officer, Mark Sturgess

Contact Officer:

Luke Brown
Neighbourhood Planning Officer
Luke.brown@west-lindsey.gov.uk

Purpose / Summary:

To receive the report and recommend the progression to public referendum for the Saxilby with Ingleby Neighbourhood Plan.

RECOMMENDATION(S): Members formally approve the Saxilby with Ingleby Neighbourhood Plan advancing to Public Referendum, in line with the advice received from the independent Examiner.

IMPLICATIONS

Legal: This work is a duty under the Localism Act 2011 and the Neighbourhood Plan Regulations 2012 (amended).

Financial: FIN/REF/129/17 Additional financial contributions are available from DCLG to support Neighbourhood Planning and cover the cost of the public referendum.

Staffing: Neighbourhood Planning Officer's role is to support each NDP group in progressing through the process.

Equality and Diversity including Human Rights :

The Saxilby with Ingleby Neighbourhood Plan has been through an independent Examination and has been checked to see whether it does pose any issues related to Human Rights, Equality and Diversity.

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:

Appendix A: Copy of Examiners Note

Call in and Urgency:

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

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1.0 Background to the Saxilby with Ingleby Neighbourhood Plan

- 1.1 The Saxilby with Ingleby Neighbourhood Plan area was designated on the 15th December 2012. After this, the Neighbourhood Plan Steering Group undertook a significant amount of public consultation to identify the core issues that the local community would like to see included within the Neighbourhood Plan.
- 1.2 Several consultations have taken place, as well as public meetings, public events, community days and discussions with local businesses.
- 1.3 The Neighbourhood Plan Group identified and commissioned a number of technical reports and evidence base studies in order to support the emerging Neighbourhood Plan. The evidence base was also used to inform the planning policies and justification for the various issues raised by the community.

Issues and policies included within the Neighbourhood Plan, include:

- Location of future housing growth of over 230 new homes
- Supporting local employment growth on existing business parks
- Protection of Local Green spaces around the village
- Retaining local Landscape and built character
- Supporting Tourism Developments

2.0 Examination and Public Referendum

- 2.1 There are two statutory final stages in completing the Neighbourhood Plan that are the responsibility of West Lindsey District Council to organise and cover the costs for; i) the independent examination, and ii) the referendum. The independent examination has now been completed and the Independent Examiner (Ann Skippers MRTPI) has advised that the plan could proceed to public referendum subject to her final report which will be issued in early February.
- 2.2 Accordingly, it is now recommended that members support and approve this next stage of the process and, in line with regulations, agree the date for this to happen. The District Council must give at least 28 working days notice in advance of the start of the referendum. The qualifying body (Neighbourhood Plan Group) may campaign before the referendum.

2.3 The Saxilby with Ingleby Public Referendum has been scheduled to take place on **Thursday the 23rd March 2017**.

2.4 Members will recall from the two successful previous referendums that if more than 50% of those voting in the referendum vote 'yes', then the council will bring the plan into legal force.

3.0 Next Steps after the Referendum

3.1 If the outcome of the public referendum is supportive of the plan (i.e. more than 50% of the people who vote, vote in favour of the Plan) the Local Planning Authority must formally 'make' the Neighbourhood Plan. Again, as with the two previous 'made' plans, this will be formalised by bringing the Neighbourhood Plan back before Council for a final time. Subject to a positive outcome at public referendum, it is likely that this will be at the April (2017) Full Council meeting.

3.2 Once this has been undertaken the Neighbourhood Plan form part of the statutory planning policy requirements for the Saxilby with Ingleby parish area.

4.0 Recommendation

4.1 **Members formally approve the Saxilby with Ingleby Neighbourhood Plan advancing to Public Referendum, in line with the advice received from the independent Examiner.**

“

Saxilby with Ingleby Parish Council

Saxilby with Ingleby Neighbourhood Development Plan

Independent Examiner's Report

By Ann Skippers MRTPI FRSA AoU

16 February 2017

Contents

	Summary	3
1.0	Introduction	4
2.0	The role of the independent examiner	4
3.0	Neighbourhood plan preparation and the examination process	6
4.0	Compliance with matters other than the basic conditions	8
5.0	The basic conditions	9
	<i>National policy and advice</i>	9
	<i>Sustainable development</i>	10
	<i>The development plan</i>	10
	<i>European Union (EU) obligations</i>	11
	<i>Strategic Environmental Assessment</i>	11
	<i>Habitats Regulations Assessment</i>	11
	<i>European Convention on Human Rights (ECHR)</i>	12
6.0	Detailed comments on the Plan and its policies	12
	<i>Introduction</i>	12
	<i>Community Vision and Objectives</i>	13
	<i>Neighbourhood Development Plan Policies</i>	
	- <i>Housing (Policies 1, 2, 3, 4)</i>	13
	- <i>Historic Character (Policy 5)</i>	17
	- <i>Retail (Policy 6)</i>	19
	- <i>Employment (Policies 7, 8)</i>	21
	- <i>Community Facilities (Policy 9)</i>	23
	- <i>Tourism (Policy 10)</i>	24
	- <i>Green Infrastructure (Policies 11, 12, 13, 14)</i>	24
	- <i>Designating Local Green Spaces (Policy 15)</i>	26
	- <i>Transport and Public Rights of Way (Policies 16, 17)</i>	29
	<i>Implementation and Monitoring</i>	30
	<i>Appendices, Maps and Glossary</i>	30
7.0	Conclusions and recommendations	31
	Appendix 1 List of key documents	32
	Appendix 2 Questions of clarification	33

Summary

I have been appointed as the independent examiner of the Saxilby with Ingleby Neighbourhood Development Plan.

The examination was undertaken by written representations. I visited the neighbourhood plan area on 30 January 2017.

The Plan proposes a range of policies for the Parish including design, tourism, employment and the designation of Local Green Spaces. It is clear that considerable work has gone into the Plan and its production over a sustained period of time.

I have recommended a series of modifications to help ensure that the Plan is a workable document that provides a practical framework for decision making and meets the basic conditions. These include some significant changes to both the wording of policies and their supporting text.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to West Lindsey District Council that the Saxilby with Ingleby Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
16 February 2017



1.0 Introduction

This is the report of the independent examiner into the Saxilby with Ingleby Neighbourhood Development Plan (the Plan) Submission Version dated November 2016.

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by West Lindsey District Council (WLDC) with the agreement of the Parish Council, to undertake this independent examination.

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over twenty-five years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

2.0 The role of the independent examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The examiner is required to check¹ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

¹ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

The basic conditions² are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and is:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site³ or a European offshore marine site⁴ either alone or in combination with other plans or projects.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case West Lindsey Council. The plan then becomes part of the 'development plan' for the area

² Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

³ As defined in the Conservation of Habitats and Species Regulations 2012

⁴ As defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

3.0 Neighbourhood plan preparation and the examination process

A Consultation Statement has been submitted which meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

The Consultation Statement refers to a separate document called the 'Summary of Consultation' which sets out in chronological order the events leading up to the production of the draft pre-submission Plan. I requested a copy of this document and asked for it to be placed on WLDC's website. In response I was sent another document, Community Consultation Final Report undertaken by Community Lincs dated January 2016 which summarises the results of a questionnaire.

I requested the Summary of Consultation again and asked for it to be placed on WLDC's website. I do not consider it necessary for a further period of consultation to be undertaken given the contents of the Consultation Statement and that any interested party could have requested a copy of this and it is also, and has been, available on the Parish Council's website.

The Summary of Consultation contains an excellent table that shows the events and activities carried out over a long time period. A questionnaire to all households in the Parish supported by Community Lincs, and reported in the document referred to above, resulted in a 35% response rate. A clear commitment to involve children and young people and businesses is also demonstrated. A Children's Survey is worthy of particular mention with 128 children and young people sharing their views.

The Consultation Statement explains that the pre-submission (Regulation 14) consultation took place between 4 May 2016 – 16 June 2016. The draft Plan was available from both the Parish Council's website and WLDC's website. Statutory bodies and other organisations together with local businesses and interested people were notified by email. A website dedicated to the Plan and a Facebook page also highlighted the consultation period. Hard copies of the Plan and its supporting documents were available at various locations such as the Post Office and Library throughout the consultation period. Responses were encouraged via a form, email, post or in person.

Two events were held to promote the consultation with posters and banners advertising it throughout the village. A third event was held at Oaklands, a retirement and sheltered housing scheme.

The village magazine, Foss Focus, was also used to publicise the period.

Tables 1 and 2 in the Consultation Statement summarise the representations received and the responses made.

There is no doubt that a concerted effort has been made to engage the community over a long period of time. The consultation and engagement carried out is satisfactory and the engagement of children and young people is exemplary.

Submission (Regulation 16) consultation was carried out between 17 November 2016 – 18 January 2017. The period was extended to take account of the Christmas break. The Regulation 16 stage attracted nine representations which I have considered and taken into account in preparing my report.

One representation outlined concerns over the conduct of a Parish Councillor. I consider that these matters fall outside my remit, but I note that WLDC have replied to the person concerned and are aware of the matter and I am sure will take any action deemed necessary.

Representations from the Environment Agency and Lincolnshire County Council refer to flood risk pointing out that parts of Saxilby are at risk of flooding from the Fosdyke Canal and that this is likely to increase with climate change and that there is a known history of surface water flooding across the Plan area. They seek additions to policies or the inclusion of new ones.

I have set out my remit earlier in this report. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶ PPG confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷ Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further additions or amendments are required.

PPG explains⁸ the general rule of thumb is that the examination will take the form of written representations,⁹ but there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case. After careful consideration of all the documentation and representations, I decided that neither circumstance applied and therefore it was not necessary to hold a hearing.

I made an unaccompanied site visit to the neighbourhood plan area on 30 January 2017.

Where I recommend modifications in this report they appear as bullet points in **bold text**. Where I have suggested specific changes to the wording of the policies they appear in ***bold italics***.

⁶ PPG para 055 ref id 41-055-20140306

⁷ *Ibid*

⁸ *Ibid* para 056 ref id 41-056-20140306

⁹ Schedule 4B (9) of the Town and Country Planning Act 1990

4.0 Compliance with matters other than the basic conditions

I now check the various matters set out in section 2.0 of this report.

Qualifying body

Saxilby with Ingleby Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area is coterminous with the Parish administrative boundary. WLDC approved the designation of the area on 15 December 2012. The Basic Conditions Statement (BCS) confirms that the Plan relates to this area and does not relate to more than one neighbourhood area. The Plan therefore complies with these requirements. The Plan area is shown on page 6 of the Plan.

The BCS and the Plan indicate that the Plan area was designated on 8 January 2013. In response to a query on this, it has been confirmed that the date is 15 December 2012. This should be corrected in the Plan in the interests of accuracy.

- **Change the date of area designation to “15 December 2012” in paragraph 4 on page 6 of the Plan**

Plan period

The Plan covers the period 2016 – 2036. This requirement is met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community’s priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy to fall within this category, I will make a recommendation to ensure that there is clear differentiation between the aspirations and the planning policies. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹⁰ Subject

¹⁰ PPG para 004 ref id 41-004-20140306

to any such recommendations being actioned, this requirement can be satisfactorily met.

5.0 The basic conditions

Regard to national policy and advice

The main document that sets out national planning policy is the National Planning Policy Framework (NPPF) published in 2012. In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the strategic development needs set out in Local Plans, plan positively to support local development, shaping and directing development that is outside the strategic elements of the Local Plan and identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with the neighbourhood plan to proceed.¹¹

The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. They cannot promote less development than that set out in the Local Plan or undermine its strategic policies.¹²

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at planningguidance.communities.gov.uk. The planning guidance contains a wealth of information relating to neighbourhood planning and I have had regard to this in preparing this report.

The NPPF indicates that plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.¹³

PPG indicates that a policy should be clear and unambiguous¹⁴ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.¹⁵

¹¹ NPPF paras 14, 16

¹² *Ibid* para 184

¹³ *Ibid* para 17

¹⁴ PPG para 041 ref id 41-041-20140306

¹⁵ *Ibid*

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.¹⁶ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.¹⁷

The BCS sets out how the Plan has responded to national policy and guidance in Tables 1 and 2.

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development. The NPPF as a whole¹⁸ constitutes the Government's view of what sustainable development means in practice for planning. The Framework explains that there are three dimensions to sustainable development: economic, social and environmental.¹⁹

The BCS contains a short section that explains how the Plan will contribute to the achievement of sustainable development.

General conformity with the strategic policies in the development plan

The development plan consists of the saved policies of the West Lindsey Local Plan (First Review) (LP) adopted on 19 June 2006. Whilst the BCS erroneously refers to the Proposed Submission Central Lincolnshire Local Plan 2016 as forming part of the development plan, it is clear that this emerging document has informed the Plan and I consider this to be good practice.

The Central Lincolnshire Local Plan (CLLP) up to 2036 will progressively replace the Local Plans of West Lindsey District, the City of Lincoln and North Kesteven District. Main modifications to the CLLP are currently being consulted upon until 6 March 2017. It can be anticipated that the CLLP will be adopted later this year and this may mean that the development plan for the purposes of the basic conditions changes; this is an issue WLDC will wish to address as necessary.

The BCS contains a table that lists the Plan's policies with a short commentary about how the Plan generally conforms to the relevant policies of both the LP 2006 and the emerging CLLP. In places the BCS refers to LP policies that have not been saved. However, I have considered the relevant saved policies of the LP as part of my own assessment.

In the LP, Saxilby falls within the Lincoln Policy Area and is identified as a 'Primary Rural Settlement'; a key service centre meeting most of residents' day to day needs and of

¹⁶ PPG para 040 ref id 41-040-20160211

¹⁷ *Ibid*

¹⁸ NPPF para 6 which indicates paras 18 – 219 of the Framework constitute the Government's view of what sustainable development means in practice

¹⁹ *Ibid* para 7

those villages in its rural hinterland. LP Policy STRAT 6 permits limited small scale and infill housing development within the confines of the settlement boundary in these settlements.

In the emerging CLLP, Saxilby is identified as a 'Large Village' providing employment, retail and key services and facilities for the local area. Such villages will be the focus for an appropriate level of growth.

European Union Obligations

A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into United Kingdom law, in order to be legally compliant. A number of EU obligations may be of relevance including Directives 2001/42/EC (Strategic Environmental Assessment), 2011/92/EU (Environmental Impact Assessment), 92/43/EEC (Habitats), 2009/147/EC (Wild Birds), 2008/98/EC (Waste), 2008/50/EC (Air Quality) and 2000/60/EC (Water).

PPG indicates that it is the responsibility of local planning authorities to ensure that the Plan is compatible with EU obligations (including obligations under the Strategic Environmental Assessment Directive) when it takes the decision on a) whether the Plan should proceed to referendum and b) whether or not to make the Plan.²⁰

Strategic Environmental Assessment

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment is relevant. Its purpose is to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes. This Directive is commonly referred to as the Strategic Environment Assessment (SEA) Directive. The Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.

A Screening Statement dated 16 September 2016 has been submitted. WLDC has assessed the draft Plan and has determined that a SEA is not required. The requisite consultation with the statutory consultees was undertaken and WLDC confirms no responses were received at this point in the process.

Therefore EU obligations in respect of SEA have been satisfied.

Habitats Regulations Assessment

Directive 92/43/EEC on the conservation of natural habitats, commonly referred to as the Habitats Directive, is also of relevance to this examination. A Habitats Regulations Assessment (HRA) identified whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects.²¹ The

²⁰ PPG para 031 ref id 11-031-20150209

²¹ *Ibid* para 047 ref id 11-047-20150209

assessment determines whether significant effects on a European site can be ruled out on the basis of objective information.

WLDC has confirmed that a HRA will not be required.

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out a further basic condition in addition to those set out in primary legislation as detailed in section 2.0 of this report. In my view, the Plan complies with this basic condition.

European Convention on Human Rights (ECHR)

The BCS contains a very short statement on human rights. There is nothing in the Plan that leads me to conclude there is any breach of the fundamental rights and freedoms guaranteed under the ECHR or that the Plan is otherwise incompatible with it or does not comply with the Human Rights Act 1998.

6.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan is well presented with section headings that include photographs of the area which adds a distinctive feel to the Plan. It starts off with a helpful contents page and Foreword. Policies are highlighted in coloured boxes.

Introduction

This clearly worded section sets out information about the Plan area designation, the qualifying body and the Plan period. It summarises key aspects of the engagement process in a very useful table on page 7 of the Plan and points the reader in the direction of the Consultation Statement for further information.

The section explains that Saxilby is classed as a 'Large Village' in the emerging Central Lincolnshire Local Plan and therefore provides employment, retail and other key facilities and services for the local area. It identifies seven community issues that the Plan seeks to address including house types, design, tourism and employment.

Highlighting joint working with WLDC, the process is set out and it is helpfully made clear that the Plan, if made, should be read in conjunction with other planning policies at District level that together make up the development plan. This section will of course need some 'natural' updating as the Plan progresses.

A short history of Saxilby and its characteristics today are also included.

This section is well written and, in my view, contains the right balance of information.

Lincolnshire County Council point out a factual inaccuracy and a modification is made to address this.

- **Delete “...Central Lincolnshire Joint Planning Unit...” from paragraph 9 on page 8 of the Plan and replace it with “*West Lindsey District Council*”**

Community Vision and Objectives

The vision states:

“The parish of Saxilby with Ingleby will develop and thrive, while retaining its rural character, creating a sustainable community through the provision of:

- An appropriate mix of housing types on suitably sized and appropriately located developments around the parish
- Local employment opportunities
- Protection and enhancement for important community facilities, services and infrastructure, environmental and heritage assets

The parish will continue to be an area that is attractive for people to live in, work in, and visit for both the current and future generations.”

It is clearly articulated and relates to the development and use of land. Twelve objectives underpin the vision and have been derived from priorities identified by local residents. All twelve are clearly articulated and appropriate.

Housing

Policy 1 Housing Mix

This policy seeks to ensure provision of a range of housing tenures and types from “smaller starter units” to “larger more expensive properties”. It also requires “higher accessibility standards”. The policy would apply to “all major planning applications”.

The second part of the policy indicates that housing mix should reflect the current needs of the village in the most up to date Housing Needs Assessment and Strategic Housing Market Assessment.

The sentiments of the policy take account of the NPPF’s stance to deliver a wide choice of high quality homes. This includes a mix of housing including size, type, tenure and

range of housing based on current and future demographic and market trends and the needs of different groups. LP Policy RES 2 also seeks a range of housing provision in all housing schemes.

However, the wording of the policy does not provide sufficient clarity for a developer to know how to comply with it. For example what might a “larger more expensive property” be and what “accessibility standards” are appropriate and acceptable.

In order to ensure that the policy is clear and unambiguous and can therefore meet the basic conditions, the following modification is proposed:

- **Reword Policy 1 to read:**

“All new development should provide, or contribute to ensuring, a range of house types and a mix of tenures based on identified housing needs in the most up to date housing needs assessment available at parish or District or housing market area level available is delivered. The range of house types and mix of tenures provided should support a sustainable neighbourhood to meet the needs of a diverse range of household types and incomes to support community cohesion. This includes, and particular encouragement is given, to accessible and adaptable dwellings and wheelchair user dwellings.

Proposals for housing suitable for older people and first time buyers to meet the needs of our aging population and younger residents are particularly welcomed.”

Policy 2 Design of New Developments

High quality design is sought by this criteria-based policy. This accords with the NPPF’s emphasis on securing good design as a key aspect of sustainable development and is in general conformity with LP Policies RES 1 and NBE 10.

The eight criteria relate to various aspects of the design and layout of a scheme. Only two criteria give me any cause for concern; the remainder are clearly worded.

The first criterion is a. as this requires development to “adhere” to the existing pattern of development...in terms of enclosure and definition of streets and spaces”. Whilst it is important that any new development relates well to its context “adherence” might stifle innovative design. Therefore greater flexibility is needed and a modification to replace “adhere” with “respect” will address my concern and also tie in with the conclusion and advice in the Village Character Assessment.

The second criterion is h. This requires the environment to contribute to the improvement of health and well-being of both existing and future residents. Whilst it is not clear to me what might be being sought by this criterion and the Plan does not

assist me, the overarching aim is clear and takes account of the NPPF. However, as currently worded, it does not provide the practical framework for decision making sought by national policy and guidance. I therefore make a recommendation to provide more clarity so that it will meet the basic conditions.

The second part of the policy requires demonstration of how the criteria, Building for Life 12 and the Village Character Assessment has been used in the design. This in itself is acceptable, but there is no specified mechanism for this and so a modification to address this is recommended.

Representations from the Environment Agency and Lincolnshire County Council lead me to recommend the inclusion of an additional criterion on flood resilience and resistance.

- **Reword criterion a. to read: “Respect the existing pattern of development in terms of enclosure and definition of streets and spaces.”**
- **Reword criterion h. to read: “Provide an environment that contributes to the *promotion of health and well being of residents through the provision of meeting place opportunities, shared space and safe and accessible environments, both in relation to crime and clear and legible pedestrian routes and high quality open space.*”**
- **Add a new criterion i. that reads: “*incorporate flood resilience and resistance measures including, where appropriate, sustainable urban drainage systems*”**
- **In part 2 of the policy add at the end “*through the submission of a written statement.*”**

Policy 3 Comprehensive Development of Land at Church Lane

The Plan explains that a site at Church Lane has outline planning permission for 230 dwellings (appeal decision APP/N2535/A/14/2223170) and is also an allocation in the LP and the emerging CLLP. This criteria-based policy seeks to influence the details of any scheme. Some of the criteria are detailed. In response to my query on evidence for the requirements I was directed to the extant permission. The permission has some 16 conditions attached to it and refers to a planning obligation. The requirements in the policy rehearse some of the issues covered, but not all of them and add more. Anglian Water and the Environment Agency are for example rightly concerned that surface water flood risk, water supply, sewage and drainage matters are not covered.

It seems to me the purpose of the policy is to ensure that if the extant permission were to expire, the Plan gives certainty in allocating this land for residential development. It is also unacceptable in the interests of proper planning to cover some issues and not others without any justification or explanation. This is because this policy may well be

relied on in the future and its omissions and requirements may render it unlikely that sustainable development can be achieved.

Therefore to ensure the policy meets the basic conditions, it is suggested that it is changed to an allocations policy. Some of the issues of concern are covered by other policies in the Plan or at national or District level.

- **Modify the first sentence of Policy 3 so that it reads “A mix of housing development and ancillary and associated development will be supported on the site known as land at Church Lane and as shown on Proposal Map 1.”**
- **Delete the remainder of the policy**

Policy 4 Allocation of Affordable Housing

The justification for this policy is set out in the Plan and relies largely on a Housing Needs Survey produced as part of the evidence base for the Plan. Reference is made to the definition of affordable housing in the NPPF. Paragraph 35 of the Plan indicates it summarises this definition, but unfortunately it does so incorrectly.

Both the LP 2006 and the emerging CLLP are referenced. LP Policy RES 6 seeks a 25% contribution of affordable housing on sites for 15 or more units or which are 0.5 hectare where there is a demonstrated need. It goes on to say that housing provided under this policy should remain affordable housing in perpetuity for local people indicating planning conditions or planning agreements will seek to secure this. Its supporting text explains what a local housing need is defining local people or those with a local connection. The definition is a) existing local residents, b) immediate family dependants of long established local residents, c) those providing important local services and needing to live in or near the community and d) persons not necessarily resident locally but having long standing links with the community.

Paragraph 36 refers to emerging CLLP Policy LP11; WLDC point out that the threshold is four rather than three. However with the passage of time this has been changed to 11 and of course may still be subject to change. There is no mention of a local connection in the emerging policy.

The policy itself sets out local connection criteria for affordable homes in the Parish. It gives priority to those with a local connection together with a cascade approach to allocation set out in Appendix B. In my view the criteria and priorities are unduly onerous. In addition little evidence has been put forward to support the details of the policy. I am however mindful of national policy’s objective of creating mixed and balanced communities and the need to identify a range of housing that reflects local demand. Therefore I recommend a modification which will prioritise affordable housing for people with a local connection which is more flexible and will also ensure that any affordable housing in the Parish can contribute to wider strategic needs.

- Amend paragraph 35 on page 19 of the Plan by retaining the first two sentences; deleting the remainder of the paragraph and adding the definition in Annex 2 of the NPPF in full

- Change the “3” in the last sentence of paragraph 36 to “11”

- Reword the Policy to read:

“All new affordable housing on market sites or rural exception sites in the Parish will be first offered to people with a local connection to the Parish and whose needs are not met by the open market. A local connection is defined as a person who:

a. was born in the Parish

b. has lived in the Parish for five years or more

c. is no longer resident but has a local connection including a period of residency of five years or more

d. has an essential need to live close to another person who lives in the Parish, the essential need arising from age or medical or care reasons

e. needs to live close to their place of work in the Parish.”

- Delete Appendix B and any references to it elsewhere in the Plan

Historic Character

Paragraph 49 on page 22 of the Plan refers to the weight to be attached to the conservation of heritage assets and the paragraph as a whole almost replicates paragraph 132 of the NPPF. There are however some important differences and therefore, in the interests of accuracy and to ensure the Plan takes proper account of national policy and guidance some changes are needed.

- Change paragraph 49 on page 22 of the Plan to read:

“There are many heritage assets in Saxilby with Ingleby that should be conserved and enhanced. The National Planning Policy Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Designated heritage assets include listed buildings and Conservation Areas and scheduled monuments. Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance because of its heritage interests including

those that are locally listed. Appendix C details all the heritage assets within the Parish.”

- **Ensure that Appendix C correctly distinguishes between designated and non-designated heritage assets**

Policy 5 Protecting the Historic Environment

One of the core planning principles of the NPPF is that heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

The policy has two parts; the first part deals with the character of the Parish as well as heritage assets. Its first sentence could encompass appearance as well as character given the evidence in the Village Character Assessment.

In addition criterion a. does not reflect the statutory duty in the Planning (Listed Buildings and Conservation Areas) Act 1990 in relation to designated heritage assets (as this part of the policy covers both designated and non-designated assets).

Finally, criterion b. of the policy does not fully reflect the stance in the NPPF as explained above.

Taking my cue from the existing policy, I recommend the policy is reworded and with this modification the policy will help to conserve and enhance the historic environment.

- **Reword the policy to read:**

“Proposed developments will be supported where they preserve or enhance the character or appearance of the Parish, Conservation Area and listed buildings and their settings and any features of special architectural or historic interest and other heritage assets set out in Appendix C.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset’s conservation. The more important the asset, the greater the weight will be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss will require clear and convincing justification.”

Policy 6 Retaining Retail Provision

Saxilby is an important centre providing local services for the area. The Plan identifies a village centre on Proposal Map 2 in Appendix E. Whilst the map is clear, six separate areas are identified.

Paragraph 61 on page 27 of the Plan supports retail development within the village centre (as identified on Proposal Map 2).

The LP also defined the village centre. This Plan has taken the opportunity to review the boundaries and has significantly extended it, but left out certain sites.

The first part of Policy 6 supports new retail development generally in new or existing frontages. It was not clear to me what this meant and in answer to my query it is confirmed that this was intended to be the frontages in the village centre.

The second part of Policy 6 resists the change of use of Class A uses in the identified village centre unless certain criteria are met. The three criteria relate to viability of the existing, or any future, retail use, the need to meet a community need and not affect the integrity of the retail area or the proposal would not adversely affect car parking in the village. The three criteria mean that a use deemed acceptable in relation to parking would be permitted whether or not the retail use was economically viable or whether any replacement might be a community need. In response to a query it has been confirmed that it was the intention that all three criteria would need to be satisfied, but this is not how the policy is currently worded.

A list is included in the supporting text as to the types of Class A uses that would be supported which goes beyond retail uses. The paragraph refers to the "General Permitted Development Order 2005"; the reference should be the Town and Country Planning (Use Classes) Order 1987 (as amended). The list also misses one of the identified Class A1 uses; that of retail warehousing. Whether this is intentional or not, it should be specified for completeness.

LP Policy RTC 3 grants permission for A1 – A5 and D1 uses as long as the use would serve a local need, not detract from the area's primary function as a local shopping and service destination and be acceptable in terms of amenity, parking and character and appearance considerations.

I have a number of concerns about this policy. The justification focuses on retail uses and the vitality and viability of the village centre preferring small independent shops. The policy supports the range of A uses, but misses out retail warehouses which are included in the established definition and does so without any explanation. It is then also silent on D1 uses which are non-residential uses such as day nurseries and libraries which the current development plan policy would support. Furthermore to add to the

confusion by using use classes it seems to take no account of the permitted changes of use which, if they occurred, would not result in the objectives in the Plan being achieved.

Of arguably greater concern though is the definition of the village centre where the policy would apply. At my site visit the definition appeared to be arbitrary; it contained many residential properties which the policy would support changing into A uses. It left out some existing commercial sites. It included some sites that could support a large retail unit and yet the Plan expresses concern that larger commercial enterprises might jeopardise the vitality and viability of the village centre. It left out some sites currently included in the LP's defined village centre. It is unclear on what basis the village centre has been defined and no evidence has been put forward to support its definition. As a result I consider the Proposal Map should be deleted as I do not consider it would meet the basic conditions and in particular it would not help to achieve sustainable development.

National policy supports the retention of and promotion of local services and community facilities. Local policy indicates Saxilby is an important village and that such facilities and services are vital to sustainable and inclusive communities. I have therefore modified this section to enable it to meet the basic conditions and be retained in some form in the Plan.

- **Change the section heading to “*Village Commercial and Retail Uses*”**
- **Delete the first sentence of paragraph 59 on page 26 of the Plan**
- **Delete the words “...a small rural...” from paragraph 60 on page 27 of the Plan**
- **Delete “...within the area identified on the Proposal Map 2.” from paragraph 61 and replace with “*within the village centre*”**
- **Change the reference to the “General Permitted Development Order 2005” in paragraph 61 to “*Town and Country Planning (Use Classes) Order 1987 (as amended)*”**
- **Add “*retail warehouse*” to the A1 Shops list in paragraph 61**
- **Reword Policy 6 to read:**

“New retail uses are supported on suitable sites within the village centre.

Proposals that would result in the loss of Class A1 or D1 uses will generally be resisted unless:

- a. it has been satisfactorily demonstrated that the existing use is economically unviable and there is little prospect of another Class A1 or D1 use being secured or***

- b. the proposed use meets an identified community need and*
- c. the proposed use provides satisfactory car parking and delivery arrangements.”*

- **Delete Proposal Map 2 from the Plan together with any references to it throughout the Plan**

Employment

Policy 7 Enterprise Park

The preamble to the policies explains that there are three enterprise or business parks in Saxilby and a small business park in Ingleby. The Saxilby Enterprise Park is identified in LP Policy STRAT 15 as an employment allocation of some 10.18 hectares for Use Classes B1/B2/B8. In the emerging CLLP the Saxilby Industrial Area is identified as an “Established Employment Area”.

The policy supports the existing sites and its expansion. Proposal Map 3 shows the area of both the existing site south of the railway line and its enlargement to the west. The existing notation on Proposal Map 3 reflects the LP notation rather than the emerging CLLP notation which also identifies the northern section on the other side of the railway line. Given that this area exists, it would be sensible to include this northern area within the notation in the Plan and so Proposal Map 3 should be changed accordingly. This will also reflect the proposed employment site boundaries which include land to the north of the railway line.

The neighbourhood plan supports the expansion and redevelopment of the site to the west for Classes B1, B2 and B8.

As part of this, Proposal Map 6 shows the opportunity for improved footpaths and cycleways to the site.

Policy 7 refers to the Saxilby Enterprise Park, but given its general title and the fact that other such parks are to be found in the Parish, the policy’s title needs to be more precise.

The policy outlines a number of criteria to be met; some are quite specific for example in relation to the junction improvements. There is no supporting information in the Plan to evidence this and there may well be other alternative solutions. In response to a query on this point, it has been confirmed that criterion b. was included in error.

Overall the policy requires rewording to ensure it provides a practical framework and is clear and unambiguous.

Representations from the Environment Agency and Lincolnshire County Council also lead me to recommend the inclusion of flood resilience and resistance matters to help to achieve sustainable development.

- **Add the northern part of the existing employment area to Proposal Map 3**
- **Change Policy 7's title to "Saxilby Enterprise Park"**
- **Reword Policy 7 to read:**

"Proposals for new B1/B2/B8 employment developments and/or redevelopment of sites for B1/B2/B8 uses will be supported in both the existing and proposed employment site shown on Proposal Map 3 provided the proposed development is of a scale that respects the character of the area and neighbouring land uses.

All new development must ensure that suitable flood resilience and resistance measures, including, where appropriate, the use of sustainable urban drainage systems, are incorporated into the design of any development.

Development schemes must include landscaping within sites and along boundaries to ensure that the development is satisfactorily screened from the A57 boundary and to minimise the visual impact on the setting of the village and nearby residential properties.

Developments must provide or contribute to the provision of the walking and cycling routes to the village shown on Proposal Map 6 and take every opportunity to encourage other means of transport than the car."

Policy 8 Small Scale Business Development

Policy 8 supports new businesses and the expansion and diversification of existing ones subject to four criteria. The criteria cover the character and appearance of any such development and its impact as well as supporting the reuse of vacant or redundant buildings. The Plan recognises this type of development supports the economy and social cohesion. Some minor wording and drafting changes of the policy are recommended in the interests of clarity so that it meets the basic conditions.

- **Reword Policy 8 to read:**

"Proposals for the development of new small scale businesses and for the expansion or diversification of existing businesses will be permitted provided that:

- a. ***Any new building or alterations to any existing building reflect the local identity and history, character and appearance of the local context in relation to scale, design and materials and***
- b. ***It can be satisfactorily demonstrated that there will be no adverse impact resulting from increased traffic, noise, smell, lighting, vibration or other emissions or activities generated by the proposed development and***
- c. ***Suitable flood resilience and resistance measures, including, where appropriate, sustainable urban drainage systems, are incorporated into the design of any scheme and***
- d. **Where relevant, opportunities are taken to secure the re-use of vacant or redundant buildings as part of the development.**

Community Facilities

Policy 9

The supporting justification to Policy 9 explains the importance of community services and facilities both in serving the local population, but also in relation to new developments. A list of services and facilities in the Parish is given on page 33 of the Plan.

Policy 9 protects community facilities or land or buildings last used as a community facility unless specified circumstances are met. It also supports new and enhanced facilities, but only when they accord with other policies of the Plan. This cross-referencing is not necessary and therefore this element of the policy adds little and should be deleted.

In relation to the criteria, replacement facilities are referred to, but any alternative site must be in the “built up area” of Saxilby. This seems to me to be unduly restrictive given that it would be possible to replace a facility in its current location and the list included in the Plan does not restrict itself to Saxilby. The policy continues that only in “exceptional circumstances” will such replacements be allowed adjacent to the built up form of Saxilby and lists four such circumstances.

In order for the policy to meet the basic conditions particularly in respect of having regard to national policy and advice which does not differentiate between built up and other areas, to better reflect the thrust of LP Policy CRT 4 and to ensure that sustainable development can be achieved, the policy should be modified.

- **Reword Policy 9 to read:**

“Proposals to redevelop or change the use of an existing community facility or land or buildings last used as a community facility will only be permitted where

- a. ***a replacement facility of an equivalent or better size, layout and quality is provided in a suitable location or***

- b. *it can be satisfactorily demonstrated that the facility is no longer fit for purpose or economically viable for a new or another community use or*
- c. *the alternative use would have significant community benefits for the local community.”*

Tourism

Policy 10 Tourism Development

The Plan explains that the Parish boasts the oldest navigable waterway in England, the Fosdyke Navigation. Policy 10 supports tourism related development taking account of the NPPF’s support for economic growth in rural areas and sustainable tourism development that would benefit business, communities and visitors and which respect the character and appearance of the Plan area. It reflects LP Policy CRT 20 which seeks to ensure development in watercourse corridors is acceptable. This policy provides an appropriate balance and clearly sets out the types of development to be supported. The only modification needed is to ensure, in line with the representation from the Environment Agency, that new overnight accommodation is not encouraged in Flood Zones 2 and 3.

- **Add a new criterion d. that reads: “*New overnight accommodation will not be encouraged in Flood Zones 2 and 3.*”**

Green Infrastructure

Policy 11 Minimising the Impact of Developemnt on the Natural Environment

The policy seeks to protect and enhance natural and landscape features. It takes its lead from the NPPF’s stance is contributing to and enhancing the natural environment. A minor wording addition is recommended in the interests of clarity, but otherwise the policy meets the basic conditions. I note that Natural England welcomes this policy.

- **Add the words “*and unavoidable*” after “If there is significant...” in part 2 of the policy**

Policy 12 Green Infrastructure

This policy seeks to encourage and support green infrastructure and the connectivity between networks of biodiversity, but the wording makes little sense. Therefore in order to provide a practical framework for decision-making, a modification is recommended. I note that Natural England welcomes this policy.

- **Reword Policy 12 to read:**

“Development proposals should plan positively for the protection, enhancement and creation of networks to improve the connectivity between biodiversity and green infrastructure.”

Policy 13 Development along the Fossdyke Canal

Policy 13 deals with development along the Fossdyke Canal. It is an appropriate balance between encouraging suitable development and the protection of the very characteristics that make the Canal so special. It clearly sets out the type of development sought and is clearly worded. It meets the basic conditions and will in particular help to achieve sustainable development provided that the concern expressed by the Environment Agency is addressed. For this reason a modification is recommended.

- **Reword the first sentence of the policy to read: “*New development along and adjoining the Fossdyke Canal must not result in an increase in flood risk and a sequential approach should be followed.*”**

Any development should:” [continue with existing criteria a. to c.]

Policy 14 Open Spaces, Sports Facilities and Recreation Facilities

Support is given to the enhancement or provision of open space and sports and recreational facilities by this policy. Development on such facilities is resisted unless it meets certain criteria. Thirdly, all new development proposals are expected to provide on site open space or recreational facilities or to contribute to them.

Firstly, the policy wording needs to be sharper in respect of the first two criteria to ensure that it does not simply support all or any development that provides open space etc. and provides a practical decision-making framework. The third criterion does not offer enough flexibility as it catches all developments and this could render some unviable. Subject to modifications to help with clarity and to increase the policy’s flexibility, it will meet the basic conditions.

- **Reword Policy 14 to read:**

“1. Development which contributes towards the improvement of existing, or the provision of new *accessible open space*, sport and recreation facilities will be encouraged.

2. The *loss of open space*, sport and recreation facilities for any other use than

for the communities' benefit will not normally be supported. Exceptions may be made if the open spaces or facilities are identified as surplus to demand, or that alternative provision of an equivalent or better standard can be provided in a suitable location, or a contribution towards new or improved facilities elsewhere would be demonstrably preferable.

3. Where appropriate, all new development proposals will be expected to provide functional on-site open space and/or sports facilities, or to provide contributions towards new or improved facilities elsewhere within the village."

Designating Local Green Spaces

Policy 15 Designated Local Green Spaces

Paragraph 94 on page 44 of the Plan indicates that the designation of Local Green Spaces (LGS) introduced by the NPPF offers such spaces the "same protection as green belt policy". I do not consider this statement to be accurate. Paragraph 78 of the NPPF states that the "Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts". This should be reflected in the Plan.

The Plan explains that the emerging CLLP puts forward three spaces for LGS designation and these are shown on Figure 6 on page 44 of the Plan. The community wish to designate twelve other sites. Whether intentional or not, the Plan does not seek to designate the three put forward in the emerging CLLP, but relies on that process to deliver those spaces. The three spaces are currently designated as "Important Open Space" in the LP. This stance is also confirmed by Proposal Map 5 titled "Overall Local Green Spaces Map" which only shows the twelve. In fact the CLLP proposes these three spaces as "Important Open Space" which is different. The Plan should therefore be corrected to reflect the current position (which may of course change).

The NPPF explains that LGSs are green areas of particular importance to local communities. The effect of such a designation is that new development will be ruled out other than in very special circumstances. Identifying such areas should be consistent with local planning of sustainable development and complement investment. The NPPF makes it clear that this designation will not be appropriate for most green areas or open space. Further guidance about LGSs is given in PPG.

The twelve proposed areas are shown in more detail on Figures 10 – 21 and together on Figure 7 on page 45 of the Plan and Figure 8 in Appendix D on page 63 of the Plan where evidence to support each space is also to be found. It would be helpful, as WLDC suggest, for each area to be labeled with their numbers.

Figure 8 and Proposal Map 5 show an additional area on the corner of Church Road and Sturton Road. In answer to my query on this, it has been confirmed that this should be removed. A modification is made to address this.

I visited each space on my site visit and I comment on each as follows.

Site 1, Canal Side is important for both its natural beauty and location alongside the Canal and moorings. It also falls within the Conservation Area.

Sites 2a and 2b, are two physically separate sites. Both are relatively large areas. The justification for the proposed designation is that they are the last remaining areas of ridge and furrow and are important to both the setting of the village and its history. A representation on behalf of the landowner objects to the proposed designation and indicates no contact has been made. The sites are both sensitive on the edge of the village. On balance, I do not consider that sufficient evidence has been put forward in support of these areas as LGSs. That is not to say they are not important from a historic or archaeological perspective or for their contribution to the character and setting of the village; it does not indicate that the areas should not be protected. It simply reflects my view that the designation of these areas as LGS is not appropriate or sufficiently evidenced in the Plan and that the intention to retain these areas as ridge and furrow could be pursued in other ways.

Site 3, Wildlife Breeding Area Ponds, is valued for its wildlife and a footpath gives access to this area.

Site 4, Saxilby Road Wood is a linear strip of woodland alongside a road and the Canal. It is identified as natural and semi-natural greenspace in the LP and as a site of nature conservation interest.

Site 5, St Botolph's Gate Green, is a slightly raised circular green providing a setting for houses with semi-matured trees. It adds to the character and appearance of the area.

Site 6, St Botolph's Gate Rear, is a gated enclosed and clearly defined green area with some small trees and was in use at the time of my visit by dog walkers and is an area of informal recreation.

Site 7, Nature Corridor, is a linear nature corridor on the edge of the settlement.

Site 8, MacPhail Crescent Green, is a green with hedges and trees used for recreation and is an important green area for the setting of the houses around it and integral to character and appearance. It is identified in the LP as amenity greenspace.

Site 9, Sykes Lane Green, is a triangular shaped green area with trees. It has an open frontage and adds character to the area which in turn opens up leading to green verges along this road. The frontage of this area is also identified as an important frontage in the settlement in the LP.

Site 10, Northfield Rise Green Spaces, is a series of three spaces that are open grassed areas with small trees and bushes, hedging, important for the topography of the estate and adding to its character and appearance and also linking the estates.

Site 11, West Croft Drive Recreation Area, is a well defined grass recreation area which is unusually shaped. It has a footpath lined with trees leading to a grass area with some seating. It is a peaceful and tranquil area. Part of the area is identified in the LP as amenity greenspace.

Site 12, Ashfield Grange Recreation Area, is a small space between houses that is grassed with a tree and seat. It backs onto a lane with hedgerow. It adds character to the area.

In my view, with the exception of Site 2a and 2b, all the proposed LGS meet the criteria in the NPPF satisfactorily.

The policy is clear about the use and development that would be permitted on the sites and is clearly written.

- **Delete the second sentence of paragraph 94 on page 44 of the Plan and replace it with “*The NPPF indicates that the management of development within such spaces should be consistent with policy for Green Belts.*”**
- **Delete the words “...designated Local Green Spaces...” from paragraph 95 on page 44 of the Plan and the words “Designated Green Spaces” from Figure 6 on page 44 and Figure 9 on page 63 and replace with “*Important Open Space*” in all three instances**
- **Add a sentence to paragraph 95 to note that the three spaces are currently designated as “Important Open Space” in the LP that reads: “*These three spaces are designated as Important Open Space in the Local Plan First Review*”**
- **Remove the notation from the area on the corner of Church Road and Sturton Road from both Figure 7 on page 45 and Figure 8 on page 63 of the Plan**
- **Add the numbers of each site to Figure 7 and Figure 8 so that they are easily identified and cross-referencing is easier**
- **Delete all references to Site 2a and 2b from the Plan including the Figures and Maps and Appendix D**
- **As a consequence of the deletion of Sites 2a and 2b, the reference to the proposed designation should be removed from page 54 of the Village Character Assessment (the photograph can be retained, delete the notation’s reference to the proposed designation)**

Transport and Public Rights of Way

Some of the measures referred to in paragraph 101 in the justification for this section on page 47 of the Plan are not related to the development and use of land. An additional sentence should be added to make this clear.

- **Add the following sentence at the end of paragraph 101 on page 47 of the Plan: “Some of these measures will not relate to the development and use of land and it is recognised that these will be community aspirations rather than planning policy.”**

Policy 16 Existing and New Non Vehicular Routes

Policy 16 supports development that is directly related to improving non-vehicular routes subject to two criteria.

This first part of the policy is clearly worded.

The second part of the policy refers to the provision of such routes in all major developments (although these do not appear to be defined anywhere). In order to make this part of the policy is more flexible and widely applicable, some rewording is recommended to ensure that sustainable development can be achieved.

The third part of the policy relates to the Parish Council working in partnership to promote a network of new routes. This is a community aspiration rather than a development and use of land policy and so should be moved to that section of the Plan.

- **Reword part 2 of the policy to read: “New development shall take every opportunity to provide new, or enhance existing, non vehicular routes including connections with the existing network.”**
- **Delete part 3 from the policy, but move it to the community projects section of the Plan**

Policy 17 Traffic and Movement around the Village

This is a short policy designed to ensure that any major new development demonstrates they are “located and designed to operate effectively” in the local highway network to prevent any further congestion in the village. This is important given the circumstances I saw first-hand on my visit to the area. However, to ensure that the policy meets the basic conditions, I recommend it be reworded to be more widely applicable and to ensure that mitigation measures can take place to help achieve sustainable development.

- **Reword Policy 17 to read:**

“Development proposals in Saxilby must ensure that any transport impacts of the scheme are identified and acceptable. Any measures needed to deal with the anticipated impacts must be implemented.”

Implementation and Monitoring

This section explains that annual monitoring by the Parish Council will take place. a more indepth review will take place every three to five years. Whilst monitoring and review are not required for neighbourhood plans, I regard this as good practice.

Appendices, Maps and Glossary

A series of appendices follow.

Appendix A is a list of community projects.

Appendix B is the local connection criteria associated with Policy 4. As I have recommended earlier in my report this appendix should be deleted.

Appendix C contains information on the Parish’s heritage assets and sits alongside Policy 5. It distinguishes between designated and non-designated heritage assets.

Appendix D contains maps of each of the proposed Local Green Spaces and the evidence to support their designation. I have dealt with suggested changes to this Appendix earlier in my report.

Appendix E contains a series of proposals maps. Any modifications to the maps have been made at the relevant and appropriate place earlier in this report.

Appendix F is the Housing Needs Survey of January 2016. This should be a separate document at this stage of plan making and serves no useful purpose now as the Plan refers to the most up to date housing needs assessment so this will become out of date quickly and have the potential to confuse readers. It should be deleted in the interests of clarity.

Appendix G is the Village Character Assessment. This could also be a standalone document, but this is not a recommendation I need to make in order for the Plan to meet the basic conditions.

A short, but helpful glossary of key terms then follows.

- **Delete Appendix F from the Plan, but retain as a separately available evidence document**

7.0 Conclusions and recommendations

I am satisfied that the Saxilby with Ingleby Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to West Lindsey District Council that, subject to the modifications proposed in this report, the Saxilby with Ingleby Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Saxilby with Ingleby Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion. I therefore consider that the Plan should proceed to a referendum based on the Saxilby with Ingleby Neighbourhood Plan area as approved by West Lindsey District Council on 15 December 2012.

Ann Skippers MRTPI

Ann Skippers Planning
16 February 2017

Appendix 1

List of key documents specific to this examination

Saxilby with Ingleby Neighbourhood Development Plan 2016 - 2036 Submission Version November 2016 including appendices containing the Housing Needs Survey January 2016 and the Village Character Assessment

Basic Conditions Statement

Consultation Statement

Summary of Consultation

Community Consultation Final Report by Community Lincs January 2016

Children and Young People's Consultation April 2016

Business Consultation April 2016

SEA Screening Statement dated 16 September 2016

Planning Area Consultation Statement January 2013

West Lindsey Local Plan First Review June 2006

Central Lincolnshire Local Plan Proposed Submission April 2016

CLLP ED024 Schedule of Proposed Main Modifications January 2017

CLLP ED025 Schedule of Proposed Policies Map Modifications January 2017

Appeal decision reference APP/N2535/A/14/2223170

Other documents summarising the results of the consultation on www.saxilbyplan.co.uk

List ends

Appendix 2

Questions of clarification to WLDC and the Parish Council

Saxilby with Ingleby Neighbourhood Plan Examination

Questions of clarification from the Examiner to the Parish Council and West Lindsey District Council

Having completed an initial review of the Neighbourhood Plan (the Plan) and the evidence submitted in support of it, I would be grateful if the Parish and District Councils could kindly assist me in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information.

1. What is the Scoping Report 2015 referred to on page 15 of the Plan?
2. What is the most up to date housing need figure that the Plan should take account of? Have the appeals referred to in the Plan being determined yet and if so what was the outcome? In other words, please provide me with a brief update on the latest housing need position for the Parish.
3. Policy 3 refers to a site at Church Lane. Please advise me a) of the latest position with this site and b) where I might find the evidence in support of this policy.
4. Is the Conservation Area identified on any map in the Plan?
5. The “Retail” section of the Plan refers to Part A uses listing Class A1 – A5. Changes of use between Part A uses are generally accepted as being similar uses, but some of these are not “retail”. Please clarify whether the intention of Policy 6 is to group Part A uses together and that it is this range of uses the Plan seeks to support. If this is the case, is “retail” the right title and word to use? If not, what might be an alternative?
6. Proposal Map 2 shows six areas identified as the “village centre”. Policy 6 refers to “new or existing frontages”. Please clarify whether the policy applies to frontages within the defined village centre or more generally.
7. Part 2 of Policy 6 permits changes of use where one of three criteria are met. In effect this means that a change of use would be permitted so long as the proposal did not affect parking adversely. Is this the intention or was the intention to permit changes of use subject to either a or b and c?
8. Policy 7 refers, I think to the Saxilby Enterprise Park, is this correct? The policy is quite specific in some of its requirements including the junction improvements. Please advise what evidence supports the need for this?
9. In relation to Policy 9, the justification lists a number of community services and facilities, but Policy 9 only refers to replacement facilities being directed to Saxilby.

Was this the intention and are all the services and facilities listed on page 33 of the Plan in Saxilby or are some elsewhere?

10. On Figure 8 a further area of proposed Local Green Space on the corner of Church Road and Sturton Road seems to be shown, but there is no smaller Figure showing this area in more detail and there is no information relating to it in the supporting information in Appendix D. Is this correct?
11. Figure 13/Site 4 proposed Local Green Space (Saxilby Road Wood) appears to be a smaller area than indicated on Figure 7 Overall Local Green Spaces. Please confirm whether my interpretation is accurate and if so, which area is intended as a Local Green Space?
12. In relation to Figure 13/Site 4 please confirm whether or not this proposed Local Green Space falls wholly or partly within the Saxilby Road Site of Nature Conservation Importance.
13. Does Proposal Map 7 which relates to a community action rather than any planning policy show a route that falls at least partly outside the Plan area?
14. In relation to Strategic Environmental Assessment, please confirm that the screening statement dated 16 September 2016 or its conclusions have been subject to the required consultation with the consultation bodies and send me any representations received.
15. The Plan and Basic Conditions Statement state that the Plan area was designated by WLDC on 8 January 2013. However, a letter from WLDC dated 16 December 2012 included in my bundle of documents indicates that the Plan area was approved on 15 December 2012. Please confirm which date it is.
16. A Summary of Consultation document is referred to in the Consultation Statement. Please provide me with an electronic copy or link to this statement and ensure it is placed on WLDC's website as a supplementary part of the documentation.
17. Please confirm that eight representations were received. If further reps were received, please forward them to me straightaway.
18. The representation from Historic England refers in turn to a letter dated 6 July from them. Please provide me with a copy of this letter.
19. Please provide me with a copy of the Saxilby proposals map from the Local Plan (First Review) 2006. The interactive version is difficult to use. In particular I would find a plan that shows the proposed village centre in the neighbourhood plan overlaid with the village centre boundary identified in the adopted Local Plan and subject to Policy RTC 3.

It may be the case that on receipt of your anticipated assistance on these matters that I may need to ask for further clarification or that further queries will arise.

With many thanks.

Ann Skippers
30 January 2017

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