

Dunholme Neighbourhood Plan 2015-2036

**A report to West Lindsey District Council on the
Dunholme Neighbourhood Plan**

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Executive Summary

- 1 I was appointed by West Lindsey District Council in September 2016 to carry out the independent examination of the Dunholme Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 12 November 2016.
- 3 The Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the plan area. There is a very clear focus on safeguarding local character, maintaining the separation of the village from Welton and promoting new residential growth.
- 4 The Plan has been significantly underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Dunholme 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
2 December 2016

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Dunholme Neighbourhood Plan 2015-2036 (the Plan).
- 1.2 The Plan has been submitted to West Lindsey District Council (WLDC) by Dunholme 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 Plan 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 Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will 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 relevant legislative and procedural requirements.
- 2.2 I was appointed by WLDC, with the consent of the 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 a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 30 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute.

Examination Outcomes

- 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 Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

- 2.5 As part of this process I must consider whether the submitted Plan 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 Plan 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 2.10 of this report.

- 2.6 In order to comply with the Basic Condition relating to European obligations the District Council carried out a screening assessment. The conclusion of the draft screening report was that there were no significant environmental effects as a result of the production of the Plan.

- 2.7 The required consultation was carried out with the three prescribed bodies.
- 2.8 WLDC has also undertaken a Habitats Regulations Assessment (HRA) screening report on the Plan. Its Habitats Regulation Assessment (HRA) screening report concluded that the Plan was not likely to have any significant effect on a European site.
- 2.9 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. 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 Plan is compatible with this aspect of European obligations.
- 2.10 In a similar fashion I am satisfied that the submitted Plan 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 take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

- 2.11 In examining the Plan 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.
- 2.12 Having addressed the matters identified in paragraph 2.11 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 Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the WLDC Screening report.
- the representations made to the Plan.
- the West Lindsey District Local Plan (First Review)
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- Relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the Plan area on 12 November 2016. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised WLDC of this decision early in the examination process.

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 neighbourhood 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 well-presented and is proportionate to the Plan area and its policies. It also provides specific details on the consultation process that took place on the pre-submission version of the Plan in June and July 2016. The Statement helpfully sets out how the emerging plan took account of the various comments and representations. Table 1 describes the comments received and how the Plan took account of those comments. It is particularly helpful.
- 4.3 The earlier parts of the Statement set out details of the wider consultation events that have been carried out to raise awareness as part the evolution of the Plan. Details are provided about:
- the series of local posters
 - the various public events
 - the establishment of a bespoke website
- 4.4 The Consultation Statement provides very useful information on the matters discussed and raised at the seven specific public events.
- 4.5 It is clear to me that consultation has been an important and integral the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. Consultation and feedback has been a key part of the Plan throughout the various stages of its production.
- 4.6 The positive approach that was taken in responding to the earlier comments is reflected in the number of representations received to the submitted plan (see 4.8 below) and their generally positive nature.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive and comprehensive approach to seeking the opinions of all concerned throughout the process. WLDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.8 Consultation on the submitted plan was undertaken by the District Council for a six-week period that ended on 27 October 2016. This exercise generated comments from the following organisations:

- Welton Parish Council
- Environment Agency
- Highways England
- WLDC
- Gin Properties Limited
- Lincolnshire County Council
- Anglian Water
- Charlie Pick
- Scothern Parish Council
- Andrew Ottowell

5 The Plan Area and the Development Plan Context

The Plan Area

- 5.1 The Plan area covers the parish of Dunholme. It was designated as a neighbourhood area on 3 August 2013.
- 5.2 The Plan area is located to the north and east of Lincoln. It is located to the immediate north of Scothern and to the immediate south of Welton. The Plan area has a population of approximately 2500 people and around 900 dwellings. The Plan area is primarily in agricultural use and with the built-up area of the village at its heart. The village itself is predominantly residential in character.
- 5.3 The village has many of the facilities that justify its designation as a primary rural settlement in the adopted Local Plan. There is an active school, a well-used village hall, the church and the Co-op store.

Development Plan Context

- 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). It is this Local Plan against which I am required to examine the submitted Neighbourhood Plan. Within this saved plan the following policies are particularly relevant to the Dunholme neighbourhood plan:

Policy Strat 3 in which Dunholme 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 12 which sets out the approach to development in the open countryside.

Policy Strat 13 which identifies a series of green wedges around Lincoln.

- 5.5 The Basic Conditions Statement (in its table 3) usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice.
- 5.6 These saved policies will apply in the Plan area until the adopted Local Plan is replaced by the emerging Central Lincolnshire Local Plan.
- 5.7 The emerging Central Lincolnshire Local Plan (CLLP) 2012 to 2036 was submitted for examination in June 2016. Plainly at this stage its policies are in an emerging state

and have not been fully examined. Nevertheless, they will have an important and longer term implication on the Plan area.

- 5.8 It is clear that the submitted Plan has been prepared with an eye to the future. In doing so it has relied on up to date information and research that has underpinned the emerging neighbourhood plan. This is good practice and which reflects key elements in Planning Practice Guidance on neighbourhood planning.

Site Visit

- 5.9 I carried out an unaccompanied visit to the Plan area on 12 November 2016.
- 5.10 I parked in Holmes Lane by St Chad's church and then walked along the aptly-named Watery Lane to look at the Dunholme Beck. I was able to understand the policy in the submitted Plan on this important aspect of its character.
- 5.11 I then walked along Ryland Road to Welton so that I could understand the scale, significance and impact of the proposed green wedge between the two settlements.
- 5.12 As part of this visit I walked along the footpath that runs to the immediate south of properties in Dunholme Close in Welton and then followed it to the south towards Tennyson Drive in Dunholme.
- 5.13 I then retraced my steps back to Ryland Road so that I could look at the proposed green wedge to its east. I then walked along Honeyholes Lane so that I could see the two largest housing sites and the village hall.
- 5.14 I then walked back into the village centre. I saw the Co-op store and it was obvious that it was very much at the heart of the community. Thereafter I walked along Scothern Road and into the two modern housing developments off Manor Way and Four Seasons Close. The open space and pond in the former development was particularly impressive. I saw two peacocks sitting comfortably on one of the houses.
- 5.15 At various points during my visit I saw the various open spaces and community facilities as identified respectively in policies 6 and 9 of the submitted Plan.
- 5.16 I finished my visit by walking along Market Rasen Road to the east of the village. I saw further evidence of the importance of the Beck. I followed the bridleway to the north and up to the proposed green wedge further to the north. This gave me another perspective from which to understand the separation between Dunholme and Welton.

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 very professional 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 2.10 of this report have already addressed the issue of conformity 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 Dunholme Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Local Plan.
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities.
- proactively driving and supporting economic development to deliver homes, businesses and industrial units and infrastructure.
- Always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings.

6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, 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 development plan.

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

6.7 Having considered all the evidence and representations available 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 that aim to bring forward new housing development to meet local needs, to safeguard its character and appearance and to promote an appropriate balance between growth and

safeguarding community facilities and open recreational facilities. Table 3 of the Basic Conditions Statement is particularly effective in terms of mapping Plan policies with the appropriate paragraphs in the NPPF.

- 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 the Plan area. In the economic dimension the Plan includes policies to promote new residential development and to promote new business and employment. In the social role, it includes policies to safeguard and extend community facilities and to safeguard recreation facilities. In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment of the parish. In particular, it proposes well-researched policies on design and landscape character and policies to safeguard a green wedge and the Dunholme Beck.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the wider West Lindsey District Council area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Local Plan. Table 3 of the Basic Conditions Statement helpfully relates the Plan's policies to policies in the saved Local Plan. I am satisfied that the submitted Plan 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 also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is thorough and distinctive to the Plan area. The wider 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 sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20140306) which indicates that neighbourhood plans must address the development and use of land.
- 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 modifications in order to ensure that the Plan meets the basic conditions.
- 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.

The initial sections of the Plan (Sections 1-5)

- 7.8 These introductory elements of the Plan set the scene for the policies. They are commendable to the extent that they are proportionate to the Plan area and the subsequent policies.
- 7.9 Section 1 provides very clear context to the neighbourhood planning process. It helpfully sets out the reasoning that has underpinned the decision of the Parish Council to produce the Plan. It also provides a useful connection to national policy, the adopted Local Plan and to the emerging Local Plan.
- 7.10 Section 2 provides background information on the Plan area. It provides a particularly interesting account of its history and association with the Bishop of Lincoln. Paragraph 2.6 provides some fascinating insights into some of the Plan area's key historic figures. Odo the Arblaster was clearly a very colourful figure.
- 7.11 Section 3 sets out how the Plan has been developed. It is a model exercise in setting out a clear, concise and proportionate context to plan making. It makes a clear linkage to the Consultation Statement.

7.12 Section 4 sets out the Plan's Vision. Its key elements are community safety; the retention of its rural character and the sensitive incorporation of new development into this context. Section 5 then sets out eight community objectives. These objectives feed into the Plan's policies in the next chapters.

7.13 The remainder of this section of the report addresses each policy in turn in the context set in paragraphs 7.5 to 7.7 in this report.

Policy 1: General Housing Growth

7.14 This policy identifies two locations on the edge of the village where new housing development will be supported together with one within the village itself. I looked at the various sites on my visit to the Plan area. The supporting text identifies that planning permission has been granted for the development of each of these sites as the plan has been in preparation. This is not unusual. It represents a positive approach towards boosting the supply of housing land in accordance with the NPPF.

7.15 As part of the consultation process on the submitted Plan a further housing site on land off Ryland Road was proposed by developers. Planning permission has been refused for its development. At the time of this examination an appeal against that decision was being considered. Plainly that matter will take its own course. The representation draws my attention to the fact that the emerging Central Lincolnshire Local Plan is currently at its own examination and that the strategic growth anticipated for Scothern may change. I acknowledge that this is a possibility. However, in that event the Parish Council would have the opportunity to review any made neighbourhood plan if it so wished. Having taking into account all the information before me I am satisfied that the submitted neighbourhood plan has properly had regard to national policy. The three housing sites identified in the Plan will have the potential to deliver around 329 new dwellings. In addition, it is clear that the relationship between the adopted local plan, the submitted neighbourhood plan and the emerging Local Plan (now at examination) has followed the principles set out in Planning Practice Guidance (41-009-20160211).

7.16 I am satisfied that the policy is appropriate and provides a positive way of addressing future housing growth in the Plan area. It is underpinned by the Statement of Intent (on page 13 of the Plan) to review its contents within five years of it being made if the two planning permissions have not resulted in development on both sites. I recommend a modification to this policy to ensure its consistency with my recommended modifications to policy 3 (see paragraphs 7.19 to 7.22).

Delete '(less than 10 units)' from the final section of the policy

Policy 2: Housing Mix and Type

7.17 This policy sets out a requirement for development of more than five dwellings to provide a range of house types and to make appropriate provision for affordable housing. The submitted Plan has referenced the 2012 local housing needs survey. I am satisfied that in general terms the policy meets the basic conditions. It seeks to

ensure that new residential development meets local housing needs. The component of the policy addressing the local housing needed survey has been carefully and flexibly-crafted. It requires an 'appropriate' mix of houses 'to help to address the needs of the community'. To this extent, it is not prescriptive. It is also flexible and responsive to change to the extent that the policy refers to 'the most up to date' housing survey

- 7.18 The policy identifies a trigger point of more than five dwellings. This figure has attracted a representation from Gin Properties. I am advised by the District Council that the figure included in the submitted Plan was once which was previously used in an earlier version of the emerging local plan but which is not included in the submitted local plan now at its own examination. Policy LP10 of the submitted Plan addresses largely the same issue. It more loosely identifies that developers will be expected to provide housing solutions that contribute to meeting the housing needs of the housing market area. Whilst the emerging Plan has yet to proceed fully through its examination I recommend that this more general approach is equally applicable to the neighbourhood plan. It will relate well to the flexible and responsive approach already included within the policy. The wider approach will allow the developer and the District Council to reach bespoke solutions on a case by case basis. I recommend accordingly.

Delete 'for more than 5' from the policy

Delete footnote 3

Policy 3: Infill Development

- 7.19 The policy provides support for infill developments within the existing built up form of the village. The policy takes a criteria based approach. This will assist its implementation through the development management process.
- 7.20 I am satisfied that the five criteria address relevant factors that will influence decisions on the majority of relevant planning applications. They will also provide appropriate environmental and amenity safeguards.
- 7.21 The policy identifies infill developments as 10 dwellings or less. Nevertheless, there is no evidence or justification for the application of this figure. At the same time, there is no information provided about the harm that may be caused either by larger developments or the availability of sites of different sizes that are likely to come forward within the Plan period.
- 7.22 A key element of national policy is to boost the supply of housing land. This policy has the ability to restrict the development of new dwellings within the existing confines of the village. I recommend a modification to remove the size threshold. In doing so I am satisfied that the criteria within the policy have a clear ability to determine applications of different sizes on their merits. The second criteria relating to design and character matters will be particularly important in this regard.

Delete (10 dwellings or less)

Delete (10 dwellings or less) from paragraph 8.9

Policy 4: Design Principles

- 7.23 This policy sits at the heart of the Plan. It sets out design principles for new development that will come forward within the Plan period. It addresses a range of issues including the design, orientation and massing of new buildings, boundary treatments and the protection of the built and natural environments. It seeks to promote and reinforce local distinctiveness within the context of the mixed character of buildings within the Plan area. This character reflects its organic growth over many years. The policy is a major part of the Plan's contribution towards the environmental dimension of sustainable development.
- 7.24 The policy includes a reference to Building for Life standards. I am satisfied that this is appropriate.
- 7.25 The policy is well-crafted and provides clear and appropriate guidance for developers on the standards that will be expected. It is an excellent interpretation of the type of design and character information that paragraphs 59 and 60 of the NPPF anticipate would come forward at local level. It meets the basic conditions.

Policy 5: Enabling Employment opportunities

- 7.26 The policy sets out the Plan's approach to new business development. Paragraph 10.4 of the Plan helpfully sets out three important priorities for new business growth. They are entirely appropriate to the Plan area. The policy will make a significant contribution to the economic dimension of sustainable development in the Plan area.
- 7.27 The policy itself is helpfully criteria based. This will enable it to be applied through the development management process. I recommend a modification so that it is absolutely clear that each of the three criteria will apply to all employment proposals.
- 7.28 I also recommend a modification to the wording of the policy. As submitted it is categoric that planning permission will be granted for proposals that satisfy the three criteria as set out in the policy. Nevertheless, this approach has the ability to have unintended consequences. In any event the District Council has a responsibility to assess all material considerations in its determination of planning applications. The wording of the proposed modification retains the positive support for new employment in the Plan area.

Replace 'Planning permission...Dunholme' with 'Proposals that would generate new business and employment will be supported'

Insert 'and' at the end of the first criterion

Policy 6: Public Recreation open space

- 7.29 The policy provides a context to protect and safeguard the range of recreational open spaces in the Plan area. Twelve are identified in figure 4 and I saw their importance during my recent visit. Whilst I was able to identify all the open spaces on site the details in Figure 4 are not as legible as might otherwise be expected for a development plan. I address this in recommended modifications below. The policy also supports the formation of new public open space as part of other developments.
- 7.30 The approach adopted is entirely appropriate. As with the approach that I have taken to policy 5 I also recommend a modification to the detail of the wording of this policy.

Replace 'be resisted' with 'not be supported'.

Replace figure 4 with a plan to the standard and clarity of the Beck Green Corridor figure on page 25 or retain figure 4 and support it with an appendix showing each of the twelve open spaces on a smaller scale map base.

Policy 7: Green Infrastructure

- 7.31 This policy is arranged around three separate components. The first sets out to safeguard and to support proposals that would improve the variety of green infrastructure in the Plan area. The supporting text indicates that this includes footpaths and bridleways, the Beck, open spaces and wildlife habitats. The second part provides encouragement to proposals that improve connectivity between wildlife areas and green spaces. The third provides a policy context within which proposals that would result in a net loss of green infrastructure will be assessed.
- 7.32 The policy is both thorough and detailed. It reflects the rich wildlife and existing green infrastructure in the Plan area and its value to the local community. WLDC has made representations about the scale and complexity of the policy. I have sympathy with its comments. Nevertheless, my role is simply to examine the Plan against the basic conditions. On this basis, I am satisfied that in general terms it meets these tests. Nevertheless, I recommend a series of modifications so that the policy has the clarity required by the NPPF. In particular, I recommend grammatical changes to the criteria in its first component and replacement wording in its second component.

In the first component of the policy delete 'Contribute.... our' in c.2 and delete 'Contribute to' in c.3

In the second component of the policy replace 'encouraged' with 'supported'.

In the third component of the policy replace 'Development' with 'Developments' and 'with' with 'without'

Policy 8: Dunholme Beck Green Corridor

- 7.33 This policy provides specific guidance on proposals that may impact on the setting and context of the Beck. I saw from my visit that it plays an important role both environmentally and in the natural drainage of the Plan area. It both supports proposals that would enhance its setting and identifies criteria against which adjacent proposals would be assessed.
- 7.34 The second criterion in the policy has been merged with a free-standing component of the policy. I recommend that the one is separated from the other. The effect of this modification is that the policy will identify the types of proposal that will be supported and the types of schemes where the opposite would be the case. This will provide the type of clarity required by the NPPF.

Remove 'Development proposals.... supported' from criterion b and include the same words as a free-standing paragraph at the end of the policy.

Policy 9: Community Facilities

- 7.35 This is another important policy in the Plan. It reflects the importance of a series of community facilities to the vitality and sustainability of the Plan area. This policy sits at the heart of the Plan's contribution towards the social dimension of sustainable development.
- 7.36 The policy sets out to safeguard buildings last used for community facilities in general, and five identified community facilities in particular. The policy identifies two circumstances where the loss of a community facility to another use will be supported. This will build in necessary flexibility throughout the Plan period.
- 7.37 I recommend two modifications. The first is to replace 'permitted' with 'supported' in the initial section of the policy and for the same reasons set out for policies 5 and 6. The second is to make a clearer link between paragraph 12.4 of the Plan and figure 6 (which collectively identify five key community facilities) and the policy itself. This will bring the necessary clarity and assurance to the policy.

Replace 'permitted' with 'supported' in the initial part of the policy.

Insert '(as shown in figure 6) after 'existing community facility'.

Policy 10: Landscape Character

- 7.38 This policy reflects the outcome of much impressive work on identifying and capturing the wider landscape character of the Plan area. This has been undertaken in a wider sense and in relation to the separate components of the built-up parts of the village. A separate Character Assessment has been submitted with the Plan. This level of detail is commendable. The Character Assessment is beautifully prepared and is illustrated

with maps and photographs. It will provide an important context for development management decisions within the Plan period.

- 7.39 I recommend a series of modifications to the policy. In combination, they will ensure that a developer is very clear about the Plan's expectations and the steps that they need to follow to secure planning permission.

Replace the opening section of the policy with the following:

All development proposals should demonstrate how they have taken account of the setting of the built-up area within the wider landscape and the specific character areas within the village. Proposals will be supported where:

In C.1 replace 'complement the details' with 'their design and appearance respects and complements'

In C.2 replace 'carefully consider how' with 'they demonstrate that'

Replace C.3 with 'soft and porous edges and finishes are incorporated into development proposals on the edge of the built-up area'

Policy 11: Settlement Breaks

- 7.40 This policy is an important strategic element of the submitted Plan. At its heart is a desire to retain a separation between Dunholme and Welton to its north. I looked at the extent of the identified green wedge in significant detail on my visit to the Plan area.
- 7.41 The concept of the separation between the two settlements is a well-established part of local planning policy in the West Lindsey District. The current existence of a clear and distinct green wedge between Dunholme and Welton is testament to the successful implementation of that policy over many years. The existing settlements are at their closest in and around Ryland Road. The one settlement is clearly visible from the other. As the Plan indicates the gap is slightly under 100 metres in this location.
- 7.42 The submitted Plan proposes an area of green wedge between the two settlements that mirrors the proposed green wedge in the emerging Central Lincolnshire Local Plan. This is good practice. It also reflects advice in Planning Practice Guidance about the relationship between an adopted local plan, and emerging neighbourhood plans and local plans. In this instance both the neighbourhood plan and the emerging local plan are being examined at the same time.
- 7.43 In process terms the identified green wedge falls into two distinct parts. The first, mainly to the west of Ryland Road, is carried over from the adopted Local Plan. The second, mainly to the east of Ryland Road, is a proposed extension of the green wedge. I will address them separately.
- 7.44 The land within the green wedge carried forward from the adopted Local Plan is largely in agricultural use. Whilst it is located primarily to the west of Ryland Road. It extends

to the immediate east of that Road at a point the immediate north of the existing residential development. Both settlements are clearly in view within the gap area.

- 7.45 An objection has been received to the designation of the established green wedge by Gin Properties. As part of its representation my attention has been drawn to a current appeal on a parcel of land within this area (to the west of Cottingham Court). The application proposes 65 dwellings. A separate decision will be made on that appeal by the Secretary of State. It is argued that the residential development of this site will not harm the separation between the two settlements. The representation requests that the Ryland Road site is removed from the proposed green wedge.
- 7.46 Having seen this component of the green wedge I am not convinced by the argument put forward in the representation. The Ryland Road element of the green wedge is the point at which its impact and significance is most pronounced. Removing any parcel of land in this part of the green wedge would result in the gap becoming significantly reduced in its scale and impact. Within this context the policy of separating the two settlements is well-established. In different locations, it has been supported by a range of planning inspectors. In the most recent appeal decision in June 2016 (APP/N2535/W/16/3145353) on the site to the north of the current appeal site being promoted by Gin Properties Inspector Schofield comments 'I consider that there can be no doubt that the settlement break performs an important environmental and social function'. He goes on to comment that 'The adverse impact upon the role and value of the space between Welton and Dunholme has been the determinative factor each time, even without a formal 'gap' policy in place, and it was not disputed at the Hearing that there is a very strong desire among local residents to maintain a physical and perceptual distinction between the two villages'.
- 7.47 In any event, there is no evidence that the retention of the green wedge approach is in any way restricting the supply of housing land in the Plan area. Policy 1 has earlier identified the development of 329 houses on three separate sites. Whilst outside the Plan area there is also a significant level of housing growth already permitted in Welton.
- 7.48 In summary I am satisfied that the land within the proposed green wedge that is carried over from the adopted Local Plan meets the basic conditions. By definition it is in general conformity with the strategic policies in the development plan. There is no evidence to the effect that it is hindering the supply of housing land in either the Plan area or in Welton (as the settlement to the immediate north of the green wedge).
- 7.49 The land to the east of Ryland Road in the proposed extension of the green wedge is also primarily in agricultural use. There are some paddocks/stables to the immediate east of Ryland Road. Whilst outside the Plan area the green wedge in this extended area butts up to Welton to its immediate north. In the Plan area itself, its southern boundary is the footpath that runs directly to the east of the village off Rylands Road. It is also bounded to the east by an extension of the same footpath.
- 7.50 The submitted Plan has been prepared within the context of an emerging local plan. That local plan was at examination at the same time as this examination was taking

place. A specific hearing session had yet to take place on the proposed Dunholme-Welton Green wedge. There is an outstanding objection to its designation and its spatial extent. There is also a degree of public and community support that will be considered by the inspector.

- 7.51 Given the lack of certainty over the outcome of the emerging Local Plan on this matter I recommend a modification to the Plan to delete the proposed geographic extension of the green wedge. This judgement is reinforced given the lack of any published justification for its proposed geographic extension in either the submitted Local Plan or the neighbourhood plan. In the event that the Local Plan inspector supports the extension of the green wedge the adopted Local Plan will take precedence over any made neighbourhood plan. In that scenario, the Parish Council would also have the opportunity to review the neighbourhood plan so that the two elements of the development plan were in harmony.
- 7.52 The policy itself is clear and precise and meets the basic conditions. It has two complementary components. The first indicates that proposals that would detract from the purpose of the green wedge will not be supported. The second indicates that proposals for its conservation, protection or enhancement will be supported. It is helpful that the Parish Council has included an identical policy to that now included in the made Welton Neighbourhood Plan. Plainly it will be best practice to have identical policies that will apply to the same green wedge on either side of the parish boundary.
- 7.53 The policy and its supporting text are potentially confusing given the variety of language used for the same policy designation. Green wedge, settlement breaks and green gap (figure 9) are used interchangeably. I recommend that the matter is simplified by using only 'green wedge' throughout including the title of the policy itself.
- 7.54 Figure 10 in the submitted Plan is particularly helpful in showing the full extent of the proposed green wedge between Dunholme and Welton. Plainly the proposed green wedge is a consistent and identifiable feature in the local landscape and is not affected or influenced by administrative boundaries. Nevertheless, in order to comply with neighbourhood plan regulations this neighbourhood plan can only identify directly the green wedge within Dunholme parish. I recommend a modification that would show the parish boundary on figure 10 so that it is clear which parcels of the green wedge lie within the Plan area. I acknowledge that this is an artificial and procedural issue given my earlier comments in paragraph 7.52

Delete the area shown within the green wedge that is not included within the saved Local Plan

Use 'green wedge' consistently in paragraphs 14.12 to 14.5, the associated figures and the title to the policy.

Identify the parish boundary on figure 10 and indicate the green wedge in Welton in a lighter green colour to reinforce the green wedge area within the Dunholme Neighbourhood Plan area.

Policy 12: Heritage Assets

- 7.55 This policy sets out to safeguard and respect the variety of heritage assets in the Plan area. This approach provides a local interpretation of section 12 of the NPPF. The policy has two different elements. The first addresses proposals that may impact negatively on heritage assets. The second provides a policy context for where their loss is proposed. Paragraph 15.5 and Figure 11 helpfully define the range and location of the heritage assets that are addressed by this policy.
- 7.56 The policy focus is more on protection rather than the promotion of a positive strategy for the conservation and enjoyment of the historic environment. I propose a modification to ensure that the policy fully has regard to national policy. As a consequence of this modification the policy will have a more rounded approach and would take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses.

**Insert the following at the start of the policy as a freestanding paragraph:
'The heritage assets identified in Figure 11 should be sustained and enhanced as part of development proposals on or adjacent to their locations.'**

In the first sentence of the policy as set out in the submitted Plan replace 'seek to adversely impact' with 'would have an adverse impact on'.

Policy 13: Reducing Flood Risk

- 7.57 The policy sets out to reduce the impact of flood risk in the Plan area. Figure 12 and paragraph 16.6 of the submitted Plan helpfully set out the scale, frequency and significance of flooding risks.
- 7.58 In its representation to the Plan the Environment Agency identifies the issue of the sequential test as set out in the NPPF and which seeks to resist flood sensitive proposals in areas most likely to flood. It suggests that an additional element should be added to the policy to resist residential development in the most sensitive areas. I am satisfied that this course of action is required to ensure that the Plan meets the basic conditions and I recommend accordingly. As submitted the Plan does not address this important aspect of national planning policy. I also recommend a modification to the existing policy so that it is clear that support is only offered to development proposals that need to be in flood risk areas for operational or other reasons.

Replace the first section of the policy with: 'Development that needs to be located within the flood risk areas as shown in figure 12 for operational or other reasons will be supported where it can be demonstrated that measures will be put in place to ensure that the development proposed will not have a detrimental impact on surface water run-off and sewage discharge networks in the village.'

In the second part of the policy replace ‘will be’ with ‘should’

Add a third part of the policy to read:

3. Residential development will not be supported in Flood Zones 2 and 3 as shown in Figure 12.

Policy 14: Water and Waste

- 7.59 This policy reflects historic issues associated with the disposal of waste water. There is a useful overlap between the supporting text for policies 13 and 14.
- 7.60 The policy has been developed with Anglian Water and is supported by the Environment Agency. The associated text provides helpful links to advice produced by Anglian Water on this matter. The approach adopted is appropriate and distinctive to the Plan area. It is an excellent example of co-ordinated action from a range of agencies. The policy meets the basic conditions.

Policy 15: St Chad’s Primary School Extension

- 7.61 This policy supports proposals that would contribute to or enable an extension to the primary school. This is entirely appropriate in general, and given the future expansion of the village in particular. The policy meets the basic conditions
- 7.62 Lincolnshire County Council suggests that the policy could be modified to take account of the potential for dual use of any extended school. I fully agree with the sentiments. Nevertheless, a modification of this nature is not necessary to ensure that the Plan meets the basic conditions.

Policy 16: Road Upgrades and Improvements

- 7.63 This policy offers support for the upgrading of the three critical junctions in the Plan area onto the A46. I am satisfied that any such improvements have the ability to be land use issues rather than minor works carried out under the Highways Act. I saw first-hand two of these junctions on my visit to the Plan area.
- 7.64 The policy meets the basic conditions

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is thorough and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Dunholme Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report I recommend to West Lindsey District Council that subject to the incorporation of the modifications set out in this report that the Dunholme 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 entirely appropriate for this purpose 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 3 August 2013.
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
2 December 2016

