

Glentworth Neighbourhood Development Plan 2018-2036

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

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Executive Summary

- 1 I was appointed by West Lindsey District Council in May 2019 to carry out the independent examination of the Glentworth Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 17 May 2019.
- 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 its distinctive rural character. The key success of the Plan is its very sharp focus on a set of bespoke policies.
- 4 The Plan has been underpinned by community support and engagement. The community has been engaged in its preparation in a proportionate way.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Glentworth Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
17 July 2019

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Glentworth Neighbourhood Development Plan 2018-2036 ('the Plan').
- 1.2 The Plan has been submitted to West Lindsey District Council (WLDC) by Glentworth 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 (NPPF) in 2012 and 2018. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It addresses a range of environmental and community issues.
- 1.6 Within the context set out above 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.
- 1.7 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 neighbourhood 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 development 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 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 and the Neighbourhood Planning Independent Examiner Referral Service.

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
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6,7 and 8 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. This is a comprehensive document which provides appropriate reassurance that these important matters have been properly

considered. The conclusion of the screening report was that there were no significant environmental effects as a result of the production of the Plan. The screening report is usefully included as part of the submission documents.

- 2.7 The required consultation was carried out with the three prescribed bodies. Responses were received from the Environment Agency, Natural England and Historic England.
- 2.8 WLDC also undertook a Habitats Regulations Assessment (HRA) screening exercise on the Plan as part of the wider screening process. There are no European sites within the neighbourhood area. Nevertheless, the screening exercise properly took account of the Normanby Meadow SSSI (approximately 6km to the west of the neighbourhood area) and Cliff House SSSI (approximately 6km to the north of the neighbourhood area). It 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 Character Profile Report
- the Basic Conditions Statement.
- the Consultation Statement.
- The Green Space Assessment.
- the various documents relating to specific consultation/engagement events;
- the WLDC SEA/HRA screening report.
- the representations made to the Plan.
- the Parish Council's responses to my Clarification Note.
- the Central Lincolnshire Local Plan 2012 to 2036.
- 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 17 May 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood development 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.

3.4 On 24 July 2018 a revised version of the NPPF was published. Paragraph 214 of the 2018 NPPF identifies transitional arrangement to address these circumstances. It comments that plans submitted before 24 January 2019 will be examined on the basis of the 2012 version of the NPPF. I have proceeded with the examination on this basis. All references to paragraph numbers within the NPPF in this report are to those in the 2012 version.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management 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. The Statement reflects 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 from February to March 2018.
- 4.3 The Statement sets out details of the consultation events that were carried out in relation to the initial stages of the Plan. Details are provided about the engagement with the statutory bodies and the public consultation events in the area. Specific events highlighted include:
- public meetings and consultation events including the Scarecrow Festival and the Village walkabout;
 - community questionnaires;
 - attendance at general community events;
 - newsletters;
 - social media; and
 - the use of the Parish Council website.
- 4.4 The Statement also sets out details of the responses received to the consultation process on the pre-submission version of the Plan (Attachment 7 of the Statement). It also sets out how the Plan responded to those representations. The exercise has been undertaken in a very thorough fashion.
- 4.6 From all the evidence provided to me as part of the examination, I conclude that the Plan has sought to develop an inclusive approach to seeking the opinions of all concerned throughout the process. WLDC has carried out its own assessment of this matter as part of the submission process and has concluded the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.7 Consultation on the submitted plan was undertaken by the District Council for a six-week period that ended on 6 March 2019. This exercise generated comments from a range of statutory and local organisations. They are listed below.
- Canal and River Trust
 - Environment Agency

- Forestry Commission
- Gladman Developments Limited
- Highways England
- Historic England
- Lincolnshire County Council
- Lincolnshire Waterways Association
- National Grid
- Natural England
- Nottinghamshire County Council
- Sport England
- Witham and Humber Internal Drainage Board
- West Lindsey District Council

- 4.8 I have taken account of all these representations as part of the examination of the Plan. Where it is appropriate and relevant to do so I refer specifically to the representation concerned in this report.
- 4.9 In most cases the various bodies raise no comments or objections on the submitted Plan. This reflects the collaborative way in which the Plan has been produced in general, and the positive way in which it has incorporated the earlier comments from these and other bodies in particular.
- 4.10 Some of the organisations suggest detailed changes to the Plan. I have given careful consideration to such matters. I have recommended modifications to reflect the matters raised where they are necessary to ensure that the Plan meets the basic conditions. As I have mentioned in paragraph 1.4 of this report it is not my role directly to improve the Plan.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area covers the parish of Glentworth. In 2011, it had a population of 323 persons. It was designated as a neighbourhood area on 19 December 2016.
- 5.2 The neighbourhood area sits in open countryside to the west of the A15 approximately 10 miles to the north of Lincoln and one mile to the south-west of Caenby Corner. It is largely rectangular in shape with the A15 as its eastern boundary. The Lincoln Cliff is the most significant landscape feature in the neighbourhood area. As the Plan describes it is a straight and prominent limestone-capped scarp slope extending in a north-south alignment from the Humber in the north to the South Kesteven Uplands in the south. The scarp is a backdrop for views across the Till Vale. With the exception of Glentworth village itself, the neighbourhood area is primarily in agricultural use.
- 5.3 Glentworth is heavily influenced by its location in this wider natural landscape. It is one of a series of spring-line villages that sit at the foot of The Cliff. This topography influences the layout and character of the village itself. Many of the traditional buildings have used the local limestone as their principal building material. Within the village there are several extensive and attractive views of The Cliff. It is quiet and secluded in this landscape context. It is a designated conservation area with a number of buildings in the characteristic limestone with brick detailing and pantile roofs. There are several good examples of boundary walls which contribute significantly to its character and appearance. St Michael's Church and Glentworth Hall are its most significant and prominent buildings.

Development Plan Context

- 5.4 The Central Lincolnshire Local Plan (CLLP) was adopted in April 2017. It sets out the basis for future development in the central Lincolnshire area up to 2036. The CLLP provides a very clear spatial context for development in the Plan area. Its Policy LP2 provides a focus for development by way of a settlement hierarchy as follows: the Lincoln urban area, the main towns, the market towns, larger villages, medium villages, smaller villages, hamlets and the countryside. Within this hierarchical approach Glentworth is identified as a 'Small Village'.
- 5.5 Policy LP2 also provides a clear context for the development of neighbourhood plan policies. In the context of the settlement hierarchy it identifies that small-scale developments should be supported in appropriate locations. Policy LP4 identifies that Glentworth should accommodate new growth in the Plan period of 15% of the existing number of dwellings. The growth in the village is higher than the 10% usually applied to small villages due to its proximity to a Strategic Employment Area.
- 5.6 The CLLP includes a wide range of other policies. The Basic Conditions Statement helpfully captures these against the various policies in the submitted Plan. In summary,

the following CLLP policies have been particularly important in underpinning neighbourhood plan policies:

- LP2 The Spatial Strategy and Settlement Hierarchy
- LP4 Growth in Villages
- LP15 Community Facilities
- LP23 Local Green Spaces and other Important Open Space
- LP24 Creation of New Open Space, Sports and Recreation Facilities
- LP25 The Historic Environment
- LP26 Design and Amenity
- LP55 Development in the Countryside

- 5.7 A review of the CLLP has now started. Consultation was taking place on Issues and Options during the course of this examination. A revised Plan is anticipated to be published in 2020. Given the very early stage of this Plan review it has not had any direct influence or significance on this examination. Nevertheless, I have referred to the Plan review process in my recommended modifications insofar as they have a bearing on the monitoring and review of any made neighbourhood plan.
- 5.8 It is clear that the submitted Plan has been prepared within the context provided by the Local Plan. In doing so it has relied on up-to-date information and research that has underpinned the Local Plan. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Unaccompanied Visit to the neighbourhood area

- 5.9 I carried out an unaccompanied visit to the Plan area on 17 May 2019.
- 5.10 I drove into the Plan area from the A15 to the east. This highlighted the significance of The Cliff both in the wider landscape and within the neighbourhood area in particular. I saw the way in which the village sat very comfortably within this setting.
- 5.11 I looked initially at the overall character and appearance of the village. I saw its various vernacular buildings and the attractive way in which the built development was positioned in relation to public and private open space. I also saw the distinction between the historic part of the village (off and around Church Street) and the more modern parts (off Kexby Road).
- 5.12 I took the opportunity to look in detail at the proposed local green spaces. I saw that they were very distinctive and individual in their characters and appearance. I saw the impressive Pocket Park off Chapel Lane and the larger paddock to the western side of the Lane. I then saw the parcel of land by the Village Hall.
- 5.13 Thereafter I walked along the footpath that links the two ends of Northlands Road. This allowed me to see the proposed local green space to the east of the footpath. I was able to see first-hand its importance to the natural setting of the village in general, and to Glentworth Hall in particular.

- 5.14 Throughout my visit I looked at the various proposed community facilities. They are clearly serving the purpose anticipated by the policy. Their concentration in the historic core reinforces the sustainability of the village and contributes towards its vitality.
- 5.15 I then walked round the more modern developments off Kexby Road in general, and off Hawthorne Close in particular. I found the footpath that linked the more modern houses off Elizabeth Close.
- 5.16 I finished my visit by driving around the wider neighbourhood area to understand its character and agricultural origins. In particular I drove to Hemswell Cliff to the north so that I could understand its geographic relationship with the neighbourhood area. This part of the visit emphasised further the importance of The Cliff in the wider locality.

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 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012. Paragraph 3.4 of this report has addressed the transitional arrangements which the government has put in place as part of the publication of the 2018 version of the NPPF.
- 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 Glentworth Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Central Lincolnshire Local Plan;
 - proactively driving and supporting sustainable economic development to deliver new homes;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities; and
 - 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. At its heart are a suite of policies that aim to safeguard its character and appearance and to promote sensitive development appropriate to its position in the settlement hierarchy in the CLLP. It has a particularly effective policy (and supporting text) on the design and character of new development (Policy 3) and on characteristic local views (Policy 1). It also includes a policy to safeguard community facilities and it designates a series of local green spaces. The Basic Conditions Statement is particularly effective in terms of mapping the 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 that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy for the development of broadband connections (Policy 6). In the social role, it includes policies on local green spaces (Policy 2) and community facilities (Policy 4). In the environmental dimension, the Plan positively seeks to protect the design and character of the neighbourhood area (Policy 3) and to safeguard green infrastructure (Policy 5).

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 CLLP/West Lindsey District 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. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Local Plan. Subject to recommended modifications 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 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 distinctive and proportionate to the Plan area. This is particularly the case in respect of Policies 1 to 3. The wider community and the Parish Council have spent 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 (Section 41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It carefully includes a series of community aspirations in a separate part of the Plan as advised in Planning Practice Guidance.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. I address the community aspirations after the 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 1-4)

- 7.8 These introductory elements of the Plan set the scene for the policies. They are commendable in the way that they are proportionate to the Plan area and its subsequent policies. The Plan is very well-presented. The distinction between the policies and the supporting text is very clear. It is helpfully supported by charts, tables and maps. The Plan starts with the photograph taken by Tristan Freeman. It was the Best Picture in the Children's Photographic Competition. It captures very well the character of the neighbourhood area.
- 7.9 The Introduction provides information about the background to the preparation of the Plan. It describes the nature of a neighbourhood plan in general terms, and the circumstances in which a plan has been prepared for Glentworth. It is a particularly effective and concise introduction to a neighbourhood plan.
- 7.10 Section 2 comments about the way in which the Plan has been produced. It overlaps with good effect with the Consultation Statement. Figure 1 is particularly effective in describing the process by which the Plan was prepared.

- 7.11 Section 3 sets out details about the neighbourhood area. It includes commentary about its history together with a variety of topographic and socio-economic information about its present circumstances. It is helpfully supported with a series of excellent maps, tables and charts. It is a particular effective background to a neighbourhood area.
- 7.12 Section 4 sets out a Vision for the Plan. It properly describes the essence of sustainable development within an attractive village and neighbourhood area. The Vision is underpinned by six carefully-selected objectives under three headings (character and design, environment and facilities).
- 7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 above.

General comments on housing delivery

- 7.14 This section of the report addresses the ability or otherwise of the submitted neighbourhood plan to deliver its strategic allocation of new dwellings that arise from the CLLP. It overlaps with the representations made by WLDC.
- 7.15 The matter is addressed at this point as the Plan does not directly include a policy on this matter. In itself this is not necessarily a matter of fundamental importance. Any submitted neighbourhood plan can address whatever issues it wishes to do so. However, in this context it is important that the Plan as a whole is designed to deliver the amount of growth anticipated in the CLLP. The approach taken in the submitted Plan is essentially one which establishes a set of environmental criteria with which new development needs to comply. To this extent it is primarily design and views-led.
- 7.16 WLDC expresses concern that the Plan has chosen not to allocate development sites. This approach has been taken in most other neighbourhood plans in the District both in general terms, and since the adoption of the CLLP in particular. In principle the allocation of residential development sites provides a greater degree of certainty for the delivery of new residential development. Such sites are assessed for viability and deliverability as part of the examination process. However, they do not guarantee delivery and a range of circumstances may arise in the various Plan periods to prevent or delay delivery. Clearly over time some of the allocated sites in other neighbourhood plans may come forward and others may not.
- 7.17 In the case of the submitted Plan the strategic target is the delivery of 14 dwellings. The Parish Council has relied heavily on the development of sites with existing commitments to meet the CLLP figure. By its calculations this would require the delivery of one residual dwelling. WLDC has also provided equivalent figures from its land availability monitoring system. This identifies a residual figure of four dwellings. WLDC has provided further information on the discrepancy between the two sets of figures. On this basis I have concluded that the residual figure is three dwellings. I am also satisfied that this residual figure is of a scale which might reasonably be expected to come forward by way of windfall and other developments within the Plan period.

- 7.18 Given all the available evidence I am satisfied that the Parish Council has taken a proportionate approach to this matter. The environmental policies in the Plan are designed to identify the way in which residential proposals should be promoted, and the way in which they should respect the design and layout of existing dwellings in the neighbourhood area in particular.
- 7.19 Plainly the situation will need to be monitored and the Plan reviewed where necessary. The delivery of the committed sites will be key to this process. In this context I recommend modifications to Section 7 of the Plan which focuses on its monitoring and review. In particular I recommend that this section includes additional information on housing delivery, and the need for corrective action where necessary. I also recommend that the review process is explicitly related to the review of the adopted CLLP.

Add a third paragraph to Section 7 of the report to read:

'The monitoring and any potential review of a made neighbourhood plan will have a focus on the delivery of the committed sites within the neighbourhood area. Where necessary the Plan will be reviewed by the Parish Council to take corrective action in the event that some or all of the sites do not come forward. Within the context of its annual monitoring process the Parish Council will consider the need for a partial or a full review of the Plan within five years of it being made or the adoption of the review of the CLLP (whichever occurs first). Thereafter the need for any subsequent partial or full review of the Plan will be undertaken on a five-year cycle.'

Policy 1: Views

- 7.20 This policy identifies a series of key local views. They are largely based on vantage points within and on the edge of the village. They are listed both in the policy and on Map 1.
- 7.21 I looked at the various views when I visited the neighbourhood area. I am satisfied that they have been carefully-selected. I am also satisfied that they are public vistas rather than private views.
- 7.22 The policy has two parts. The first requires that new development should demonstrate how it has taken account of the key vistas. The second requires that any development which may cause harm to any key view should demonstrate the way in which the benefits of the development would outweigh the harm. In such circumstances appropriate mitigation measures should be incorporated within the development proposal.
- 7.23 Gladman Developments properly comment that views are inevitably subjective and that policies of this nature need to be evidence-based. The representation also comments that development can be accommodated without directly eroding the views identified. In this context I am satisfied that the policy takes an appropriate approach to this matter. In particular it does not apply its approach in a negative or prescriptive fashion. In addition, it is properly underpinned by the professional approach of the

Character Profile which was the source for the various views. Nevertheless, I recommend a series of modifications to the policy so that it has a policy basis rather than a process focus (and with a focus on demonstrating effects).

- 7.24 There is a degree of inconsistency between the number of views included in the policy and the views shown on Map 1. I am satisfied that Map 1 is the correct version as it relates directly to the source information in the Character Profile. The ten views were clearly displayed both in the submitted Map 1 and the Character Profile. Nevertheless, I recommend a series of modifications to the schedule of views in the policy and to the Map so that all the information properly tallies with the source information in the Character Profile. This will ensure full internal consistency and clarity between the policy and its source information. In doing so I am satisfied that no party is disadvantaged by this approach. The various views were fully detailed in the Character Profile.

In Policy 1.1 replace the list of key local views with the numbering system and the view descriptions as those set out in the Character Profile (pages 21 and 22).

In Policy 1.2 replace ‘provided that they demonstrate that they have taken account’ with ‘where they take account of’.

In Policy 1.3 replace ‘may cause harm to Key Local Views will need to demonstrate how’ with ‘that would cause harm to Key Local Views will be supported where’.

In Policy Map 1 modify any view descriptions so that they are fully consistent with the descriptions as set out in the Character Profile (pages 21 and 22)

Policy 2: Local Green Space

- 7.25 This policy proposes to designate four parcels of land as local green space (LGS). In doing so the justification for the policy makes appropriate references to paragraphs 76 to 78 of the NPPF.
- 7.26 Attachment 3 of the Consultation Statement comments about the way in which the four parcels of land meet the three criteria set out in paragraph 77 of the NPPF. It is a particularly effective and evidence-based approach.
- 7.27 I looked at the sites carefully as part of my visit to the neighbourhood area. Whilst I saw that they were very different it was clear that they were a good community response to this important national initiative as promoted in the NPPF.
- 7.28 I recommend two detailed modifications to the policy. In both cases they will ensure that the policy in the submitted Plan has regard to the matter of fact approach in the NPPF. As submitted the initial part of the policy includes an element of justification for the approach taken, and the final part attempts to make judgements on the nature of the effect of development proposals on the designated LGSs.

- 7.29 WLDC comment that LGS3 overlaps with one of the identified areas of green infrastructure within the context of Policy LP20 of the CLLP. LGS3 is a part of a wider green infrastructure site identified on the CLLP policies map. I am satisfied that there is no direct conflict between the two policies. The wider area in the CLLP is a defined area of green infrastructure. The proposed LGS 3 in the submitted neighbourhood plan identifies a specific section of this wider area to which it apportions LGS status. I recommend that the supporting text addresses this matter.

Replace the opening part of the policy with:

‘The following parcels of land are designated as local green space’

Replace the final part of the policy with:

‘Development will not be supported on local green spaces except in very special circumstances’

At the end of the second paragraph of paragraph 5.2.1 add:

‘LGS3 overlaps with one of the identified areas of green infrastructure within the context of Policy LP20 of the CLLP. LGS3 is a part of a wider green infrastructure site identified on the CLLP policies map. The two policies have complementary roles. The wider area in the CLLP is a defined area of green infrastructure. The proposed LGS3 in the submitted neighbourhood plan identifies a specific section of this wider area to which it apportions local green space status.’

Policy 3: Design and Character of Development

- 7.30 This policy reflects the characteristic design within the village. The policy is underpinned by the Neighbourhood Character Profile Report. It is an excellent example of a study of this nature which has appropriately drawn on professional support.
- 7.31 The policy offers support to development proposals where their designs complement the established character of the village. It identifies seven matters which are particularly relevant for development. They include form scale and massing, the materials to be used and how boundaries are defined.
- 7.32 Other elements of the policy refer to process matters, flooding and sustainable urban drainage, car parking and higher access standards.
- 7.33 In general terms I am satisfied that the policy takes a well-researched and evidence-based approach to this matter. The policy relates to the Character Profile Report and provides guidance for developers in terms of the expectations of the community on high quality and distinctive design.
- 7.34 Having reviewed all the submission documents and the representations received I am satisfied that the approach adopted is entirely appropriate. The principal settlement of Glentworth has the characteristics and appearances that warrant such an approach. One of the 12 core planning principles in the NPPF (paragraph 17) is ‘to secure high-

quality design and a good standard of amenity for all existing and future occupants of land and buildings.’ Furthermore, the approach adopted in the policy has regard to the more detailed design elements of the NPPF. In particular, it plans positively for high quality and inclusive design (paragraph 57), it has developed a robust and comprehensive policy (paragraph 58), it proposes outlines of design principles (paragraph 59) and does so in a locally distinctive yet non-prescriptive way (paragraph 60).

7.35 Within this broad context I recommend a series of detailed modifications so that the policy has the clarity required by the NPPF and can be applied clearly and consistently by WLDC. In summary the recommended modifications:

- make detailed word changes to the policy;
- delete Policy 3.2 and relocate the process requirement to the supporting text; and
- ensure that the various policy elements are written as policies rather than process requirements.

In the opening part of the policy replace ‘provided that their design and specification’ with ‘where their design and detailing’

Delete 3.2.

Replace 3.3 with ‘Development proposals should take account of flood risk issues in the immediate locality and incorporate solutions appropriate to local circumstances. Proposals which incorporate sustainable urban drainage measures appropriate to the site will be supported.’

In 3.4 replace ‘will be required to demonstrate provision’ with ‘should provide’ and ‘In case’ with ‘Where’.

At the end of the Justification in paragraph 5.3.1 add:

‘Policy 3 sets out the way in which new development should take account of key design principles. Applicants should demonstrate the way in which they have addressed the various matters, and their relationship to the Character Profile Report in the details submitted with planning applications.’

Policy 4: Community Facilities

7.36 This policy has been designed to reflect the important role played by the existing community facilities in the neighbourhood area. Four facilities are identified – the Village Hall, St Michael’s Church, the post box and the noticeboard. They are shown on Policy Map 4. Plainly the facilities are very distinctive to the village.

7.37 The policy has three related sections. One offers support to proposals for the provision of new or enhanced facilities. The other two provide a policy context for any proposed development which may impact on the delivery of the community services currently

delivered by the four facilities. They properly identify viability matters and the opportunity for wider development proposals to offer alternative facilities

- 7.38 The policy has been well-developed. It takes a positive approach to this important matter. It meets the basic conditions.

Policy 5: Green Infrastructure

- 7.39 This policy celebrates the rich green infrastructure to be found in the neighbourhood area. The justification provides strong and appropriate connections to Policy LP20 of the CLLP. Policy Map 5 shows identified green infrastructure in the neighbourhood area to which the policy would apply.
- 7.40 The policy itself has two related parts. The first supports development that, where practicable enhances the existing green infrastructure and the provision of new public green spaces. The second sets out circumstances where development which would have a detrimental impact on existing green infrastructure would be supported.
- 7.41 The policy takes an appropriate and positive approach to this important matter. Nevertheless, the second part of the policy has the ability to be read in a fashion which might suggest that it is directly promoting development which would have a detrimental impact on existing green infrastructure. Such an approach would not be in general conformity with Policy LP20 of the CLLP. Whilst this is not the intention of the submitted policy, I recommend a modification to remedy the issue. Otherwise the policy meets the basic conditions

In the second part of the policy insert ‘only’ between ‘will’ and ‘be’.

Policy 6: Broadband Connection

- 7.42 This policy offers support to development proposals that would improve existing broadband access or provide access to new networks. The supporting text comments about the existing connectivity from Cabinet 2 at the foot of George Hill.
- 7.43 The policy sets out an appropriate and positive approach to this issue. Its second sentence effectively requires new residential development to future-proof potential access to new and/or improved networks. I recommend a detailed modification to the wording used on this matter. Otherwise the policy meets the basic conditions. I also recommend consequential modifications to the justification.

In the second sentence replace ‘should provide.... residents to access’ with ‘should be specified and constructed in a fashion which would allow future access to’

At the end of the second paragraph of the Justification add:

‘The second part of Policy 6 addresses this matter. Developers should provide for potential future connections to improve broadband networks. This requirement should

be applied on the basis of information available on planned or future networks available at the time that the relevant planning applications are determined.'

Community Aspirations

- 7.44 The Plan includes a series of community actions. As the Plan comments they are non-land use matters which have naturally arisen during the plan making process.
- 7.45 They are extensive in nature and include matters such as maintenance issues, traffic management matters and wider environmental improvements.
- 7.46 I am satisfied that the various community aspirations are both appropriate and distinctive to the neighbourhood area.

Other Matters - General

- 7.47 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for WLDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Other Matters – Wording of Text

- 7.48 WLDC and Lincolnshire County Council have helpfully provided commentary on specific elements of the Plan. In most cases they bring clarity and/or update policy matters. I recommend the following modifications where they are necessary to ensure that the Plan meets the basic conditions.

In paragraph 2.2.1 replace 'of six weeks' with 'of not less than six weeks'

In paragraph 2.2.2 delete the final 'is in accordance with the basic conditions'

In paragraph 3.1.3 replace 'Map 1' with 'Map 2'

In paragraph 3.1.5 replace 'maintains' with 'maintain'

In paragraph 3.2.3 replace 'footpath connecting to Fillingham' with 'public bridleway to Fillingham' and insert alleged before 'footpath to Harpswell'

In Map 2 correct spelling of St Michael's Church.

In Policy 4 (4.1.2) correct spelling of St Michael's Church.

In Policy Map 4 correct spelling of St Michael's Church.

In Policy Map 5 identify that the 'Natural and Semi-natural open spaces' are CLLP designations.

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 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 Glentworth 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 some 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 Glentworth Neighbourhood Development 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 19 December 2016.
- 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
17 July 2019