

Sturton by Stow and Stow Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear and concise vision for the neighbourhood area.

The presentation of the Plan is very good. The difference between the policies and the supporting text is clear. The Plan makes good use of various maps. The various background reports helpfully underpin the policies. The Neighbourhood Profile, the Local Green Space Assessment and the Protected Views Assessment are particularly informative.

A key element of the Plan is the way in which its key issues (Section 3.3) and vision and objectives (Sections 4.1 and 4.2) inform and underpin the resulting policies. This provides assurance that the Plan has addressed key local issues. The relationship between the text and the policies is well-considered. The way in which the Plan comments about how the policies are informed by national and local planning policies, and the most recent version of the emerging Local Plan review (2020), and residents' responses is very effective.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also read the parish councils' helpful comments on the representations received on the Plan. I have visited the neighbourhood area and am now in a position to raise issues for clarification with the parish councils. The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to ensure that the Plan meets the basic conditions.

I set out specific clarification points below in the order in which the policies appear in the submitted Plan:

Policy 1

The policy takes a positive approach to sustainable development.

As submitted, the policy would have a universal effect. In this context, many minor and householder planning applications would not have the ability to trigger several of the criteria. On this basis, I am minded to recommend a modification so that the policy would apply on a proportionate basis as appropriate to its scale and nature. Do the parish councils have any comments on this proposition?

Policy 2

This is a very comprehensive and effective policy.

In criterion m is the second sentence necessary? As I interpret the approach taken, the transportation of waste could be a detailed response to the more general matter covered on the first sentence.

Criterion n takes a hybrid approach (part policy and part non-policy/operation issues). I am minded to relocate the latter into the supporting text. Do the parish councils have any comments on this proposition?

Part 2 of the policy has a generally negative approach rather than the positive approach of the Central Lincolnshire Local Plan. Was this intentional?

Are the five criteria in part 2 of the policy the elements which the parish councils see as being distinctive to the neighbourhood area?

Policy 3

The purpose of this policy was self-evident when I visited the neighbourhood area. The final sentence of the policy is clear in its intentions in general terms. However, have the parish councils attempted to identify the types of development which would reduce and/or detract from the open character of the proposed Area of Separation (and those which would not do so)?

Is the policy intended to allow development to come forward in the Area of Separation which would otherwise comply with Policy LP55 of the Central Lincolnshire Local Plan?

Policy 5

This policy makes an excellent local response to the design elements of the NPPF 2021. It is helpfully underpinned by the excellent Neighbourhood Profile (and its Character Area work).

As submitted, the policy would have a universal effect. In this context many minor and householder planning applications would not have the ability to trigger several of the criteria in the policy. On this basis, I am minded to recommend a modification so that the policy would apply on a proportionate basis as appropriate to the scale and nature of the development proposed. Do the parish councils have any comments on this proposition?

Policy 6

Policy Map 6 (and its key) is an impressive piece of local work

Policy 7

Does criterion a) expect an applicant to look for alternative brownfield sites first? If not, does it mean that development proposals take the opportunity to incorporate vacant or redundant buildings or land which may exist within the application site? If it is the former, how would an applicant be able to demonstrate that they had looked at alternative brownfield sites beyond their control?

In relation to criterion c) how could the planning process control the amount of remote working?

Policy 8

In general, the policy takes a positive and well-researched approach to this matter. I am minded to recommend the reversal of the order of parts 1 and 2 of the policy to assist the casual reader to understand the policy. Do the parish councils have any comments on this proposition?

In Part 1C is the reference to geographic area the same as that used in Policy 2?

Is Part 3 of the policy more supporting text rather than policy?

Policy 9

The policy appears to comment more about the process to be followed rather than the outcome of planning applications and their relationship with the identified Protected Views. Was this the Plan's intention?

Policy 10

This policy is commendably underpinned by the Local Green Space Assessment.

The third part of the policy reads as a free-standing policy and otherwise sits uncomfortably with the policy's focus on local green spaces. Please can the parish councils explain the approach taken?

Policy 11

The first part of the policy uses both 'where appropriate' and 'where practicable'. This makes its purpose unclear. Is it intended to comment about proposals where there would be a direct relationship between new development and the provision of infrastructure (as set out in the Community Infrastructure Levy Regulations)?

Is part 4 of the policy supporting text rather than policy?

Representations

I am grateful that the parish councils have already commented on the representations made to the Plan.

Do the councils wish to make any further comments or additions/updates to the responses?

Protocol for responses

I would be grateful for responses by 17 February 2022. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council and make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Sturton by Stow and Stow Neighbourhood Development Plan.

1 February 2022