

Keelby Neighbourhood Development Plan 2022-2040

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

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Executive Summary

- 1 I was appointed by West Lindsey District Council in January 2023 to carry out the independent examination of the Keelby Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 30 January 2023.
- 3 The Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It proposes a series of policies to safeguard the character of the village and to guide new development proposals.
- 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 Keelby 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
24 March 2023

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Keelby Neighbourhood Development Plan 2022-2040 ('the Plan').
- 1.2 The Plan has been submitted to West Lindsey District Council (WLDC) by Keelby Parish Council (KPC) 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, 2018, 2019 and 2021. 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 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. It addresses a range of housing, 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 plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by WLDC, with the consent of KPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WLDC and KPC. 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 35 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 as submitted should proceed 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.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am 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.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements subject to the recommended modification in this report.

3 Procedural Matters

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

- the submitted Plan.
- the various appendices.
- the Basic Conditions Statement.
- the Consultation Statement.
- the SEA/HRA screening report.
- the additional information provided by KPC on the proposed local green space at the Sports Ground.
- the representations made to the Plan.
- KPC's responses to the Clarification Note.
- the Central Lincolnshire Local Plan 2012 to 2036 (adopted in April 2017).
- the Central Lincolnshire Local Plan Review Submission Document 2022.
- the National Planning Policy Framework 2021.
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 30 January 2023. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The 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 by written representations and without the need for a public hearing. I reached this decision once I had received the responses to the clarification note.

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 KPC prepared a Consultation Statement. It provides specific details on the consultation process that took place on the pre-submission version of the Plan between May and July 2022.
- 4.3 The Statement also 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 are listed in Section 3 of the Statement. They include the community questionnaire delivered to every household in the parish in June 2018.
- 4.4 Appendices B1 and B2 respectively of the Statement set out details of the responses received on the pre-submission version of the Plan from statutory bodies and residents. In turn, they also set out how the Plan responded to those representations. The exercise has been undertaken in a very thorough and proportionate fashion. It helps to explain the evolution of the Plan.
- 4.5 The Statement also includes other appendices and figures. In several cases, they reproduce earlier publicity material and summarise the results/feedback of those activities. This provides a degree of interest and a distinctive flavour to the Statement.
- 4.6 From all the evidence provided to me as part of the examination, I am satisfied 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 WLDC. It ended on 4 November 2022. This exercise generated comments from the following statutory and local organisations:

- Anglian Water
- Canal and River Trust
- North Kesteven District Council
- Environment Agency
- National Highways
- Historic England

- Marine Management Organisation
- Natural England
- Severn Trent Water
- Health and Safety Executive
- Forestry Commission
- Lincolnshire County Council
- Witham Internal Drainage Board
- The Coal Authority
- West Lindsey District Council

4.8 In most cases the various bodies raise no comments or objections to the submitted Plan. This reflects the collaborative way in which the Plan has been produced in general, and the positive way in which the submitted Plan incorporates earlier comments from these and other bodies. This approach is a major achievement. It reflects the way in which the Plan has been prepared and how KPC managed the wider process.

4.9 Representations were also received from a resident.

4.10 I have taken account of all these representations as part of the examination of the Plan.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Keelby. It was designated as a neighbourhood area on 9 December 2016. In 2011 it had a population of 2092 persons living in 994 households.
- 5.2 Keelby sits in attractive countryside close to both the Humber Bank and the edge of the Lincolnshire Wolds. It is adjacent to the main A18 trunk road, approximately ten miles from Grimsby and twelve miles from Brigg.
- 5.3 The village has an attractive layout based around its traditional core of Yarborough Road, South Street and Manor Street/Victoria Road. St Bartholomew's Church and the wonderfully-ornate Village Hall provide the visual and social heart of the community.

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 neighbourhood area. 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, large villages, medium villages, smaller villages, hamlets, and the countryside. Within this hierarchical approach Keelby is identified as one of a series of Large Villages.
- 5.5 Policy LP2 also provides a framework for the development of neighbourhood plan policies in the various settlement categories. In order to maintain and enhance their role as villages which provide housing, employment, retail, and key services and facilities for the local area, it identifies that the 'large villages' will be a focus for accommodating an appropriate level of growth. It also comments that most of this growth will be via sites allocated in the CLLP, or appropriate infill, intensification, or renewal within the existing developed footprint.
- 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 other CLLP policies have been particularly important in underpinning neighbourhood plan policies:
- LP15 Community Facilities
 - LP23 Local Green Space and other Important Open Space
 - LP25 The Historic Environment
 - LP26 Design and Amenity
 - LP55 Development in the Countryside
- 5.7 The submitted Plan has been prepared within the context provided by the adopted CLLP. It has also carefully taken account of the well-advanced CLLP review. 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.

- 5.8 A review of the CLLP is now well-advanced. Consultation took place on a draft Plan between June and August 2021. The Plan was submitted for examination in July 2022. The hearing sessions started in November 2022. The overall strategy of the Plan remains largely unchanged. Policy S4 is refined and simplified. The Plan proposes two new residential allocations in the neighbourhood area (WL/KEE/01 and WL/KEE/03) within a wider approach towards delivering new housing growth. The site at WL/KEE/01 now has planning permission. For examination purposes, the submitted neighbourhood plan is assessed against the existing adopted Local Plan. Nevertheless, I have referred to the CLLP review process later in this report insofar as it has a bearing on the monitoring and review of any 'made' neighbourhood plan.

Unaccompanied Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 30 January 2023.
- 5.10 I approached the neighbourhood area from Caistor along the A1173 and the A18. This highlighted its relationship to the strategic road network. It also highlighted the very distinctive rural setting of the parish.
- 5.11 I looked initially at the village centre based on St Martin's Place. I saw the range of retail and commercial services available. Further to the north along Manor Street I saw the Nag's Head and the Primary School. The village offered a very pleasant sense of tranquillity.
- 5.12 I walked up to Yarborough Road. In doing so I saw the beautifully-maintained war memorial with the interesting information about the local effects of the torpedoing of the Lusitania in 1915. In Yarborough Road I saw the impressive Methodist Church at the way in which it is offering a weekly 'Warm Space' to the local community. I also saw the Co-op store on the corner of the Road with South Street. I then looked at the proposed local green space at the Sports Ground.
- 5.13 I then walked along South Street to St Bartholomew's Church. In doing so I saw the very impressive Village Hall and its interesting tower.
- 5.14 I then walked along Church Lane and followed the footpath out to the east. This highlighted the areas identified for residential development in the emerging Local Plan.
- 5.15 I then walked into Victoria Road to look at the other commercial facilities in the village. This part of the visit highlighted the significance of facilities available in the village.
- 5.16 I left the neighbourhood area by driving along the A18 to the west to Humberside Airport and the M180. This further reinforced the way in which the parish was connected to the strategic road network.

6 The Neighbourhood Plan and the Basic Conditions

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 and informative document. It is also proportionate to the Plan itself.

6.2 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;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

6.3 I assess the Plan against the basic conditions under the following headings:

National Planning Policies and Guidance

6.4 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 July 2021.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the Keelby Neighbourhood Plan:

- a plan-led system – in this case the relationship between the neighbourhood plan and the adopted CLLP;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- addressing climate change and flood risk issues;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 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.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 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 neighbourhood area. It includes policies to safeguard the character of the parish. It also includes a site-specific and a general policy on residential development. It also addresses a general approach to design. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 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 (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: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.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. Most 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

- 6.11 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. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for housing development (Policies 2a and 2b) and for economic development (Policy 4). In the social dimension, it includes a policy on walkways and cycle routes (Policy 7). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has a specific policy on environment and the countryside (Policy 5). KPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in West Lindsey District in paragraphs 5.4 to 5.8 of this report. I am satisfied that subject to the incorporation of the modifications recommended in this report that the submitted Plan is in general conformity with the strategic policies in the development plan.

- 6.13 I also consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the CLLP and the CLLP Review. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement, a screening exercise was undertaken on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA. This conclusion was reached as no sensitive natural or heritage assets will be significantly affected by policies contained in the Plan. In addition, the Assessment comments that the Plan's policies are in general conformity with those within the CLLP and that the Plan does not allocate specific large development sites or promote a large amount of development.

Habitats Regulations Assessment

- 6.16 The screening report includes a separate Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not considered to have the potential to cause a likely significant adverse effect on a protected site and that none of the policies in the Plan are likely to have a significant effect on a protected site whether alone or in combination with other plans and projects. As such, it concludes that the Plan does not require further assessment under Article 6 or 7 of the Habitats Directive (Art. 3.2(b)).
- 6.17 The screening reports include the responses received as part of the required consultation process with statutory bodies. In doing so, they provide assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 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. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of the Habitats Regulations.

Human Rights

- 6.19 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. In addition, 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. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. 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. The wider community and KPC 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 (41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. The Plan also includes a package of non-land use Actions which are weaved into its contents alongside the policies.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. The Actions are addressed after the policies.
- 7.6 For clarity, this section of the report comments on all policies whether 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 1-6)

- 7.8 The initial 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.
- 7.9 Section 1 introduces the Plan. It includes information about the background to how it was prepared.
- 7.10 Section 2 comments about the wider neighbourhood planning process. It identifies the neighbourhood area (on Figure 1) and identifies when the neighbourhood area was designated (in paragraph 2.3). For completeness, I recommend that this part of the Plan identifies the Plan period.

At the end of paragraph 2.3 add: 'The Plan period is 2022 to 2040.'

- 7.11 Sections 3 and 4 comment about the neighbourhood area to very good effect. They include information about its history and the current circumstances in the parish. This information underpins several of the policies in the Plan.

- 7.12 Section 5 identifies a series of community issues and opportunities. It overlaps with the submitted Consultation Statement.
- 7.13 Section 6 goes on to set out a Vision and a series of Objectives for the Plan. The approach taken provides assurance to all concerned that the Plan has addressed key local matters. The objectives form the structure for the Plan's policies. The Vision is as follows:

'Keelby will continue to be a thriving large village community with provision of key services, a good selection of local businesses / shops / amenities a broad range of locally accessible employment opportunities. It will maintain and improve its overall sustainability, retain its village character and rural atmosphere while ensuring that its valued historic Listed Buildings, non-designated heritage assets, local environment, Open and Green spaces are not compromised or lost.'

- 7.14 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

Policy 1: Retain Village Character

- 7.15 This policy has a general effect. It has a specific focus on Local Green Spaces/Important Green Spaces, heritage assets, re-using brownfield land and safeguarding the wider context of the parish including its relationship with the Lincolnshire Wolds.
- 7.16 In the round it is an interesting policy. It provides a wider context for the other policies in the Plan and as its title suggests it has an overarching focus on retaining the character of the village.
- 7.17 The first part of the policy refers to Local Green Spaces (LGSs) and Important Green Spaces (and which are shown on the map in Appendix 3). However, the Plan offers no justification for the proposed Sports Ground LGS off Stallingborough Road in accordance with the approach set out in the NPPF on this important matter. This is particularly important as it is much larger than the proposed LGS (used as allotments) off Yarborough Road. KPC responded to this issue by preparing a separate assessment of the proposed LGS at the Sports Ground. I am satisfied that the information submitted properly justifies the proposed designation.
- 7.18 In a more general context, I recommend that the opening element of the policy is reconfigured so that it provides a policy format rather than a mix of policy and supporting text. Within this context, I also recommend detailed modifications to the other elements of the policy. In doing so, I recommend that the element about brownfield land should be separated from the main body of the policy. This acknowledges that it signposts developers to brownfield land rather than describing an important characteristic of the neighbourhood area as is the case with the other elements of the policy.
- 7.19 I also recommend that the policy title is broadened so that the policy can apply throughout the parish rather than simply within the village. Whilst some of the criteria

will apply mainly in the village, they will also be applicable elsewhere. At the same time the third criterion (in the modified policy) may well apply more to the rural parts of the parish.

Replace the policy with:

‘Development proposals should respond positively to the rural character and distinctiveness of the Parish and take account of the following characteristics:

- **the identified Local Green Spaces and Important Green Spaces in Appendix 3;**
- **the existing designated and non-designated heritage assets and their setting, as identified in Appendix 4 and 5; and**
- **the wider context of the area, including the important landscape towards the Lincolnshire Wolds and across the open areas of the Parish.**

Wherever practicable, development proposals should use brownfield land.’

Replace the policy title with: ‘The Rural Character and Distinctiveness of the Parish.’

Policy 2a: Land at Church Lane, Keelby

- 7.20 This is an important policy in the Plan. It sets out a site-specific policy for the residential development of land to the east of Church Lane. In this context it seeks to bring added value to development of the site as identified in the review of the CLLP at site WL/KEE/003.
- 7.21 I looked at the site carefully during the visit. I saw the open nature of the landscape. The visit highlighted the related importance of ensuring that the development of the site related well to the development of the site to the north (which has an extant planning permission) and to the established residential properties to the west off Church Lane.
- 7.22 In principle I am satisfied that the policy takes an appropriate approach to this matter. In developing the policy KPC has established a robust set of criteria to shape the development of the site.
- 7.23 I recommend that the opening element of the policy is modified so that it will have the clarity required by the NPPF and allow the various criteria to be applied in a robust way. I also recommend detailed modifications to the wording used in some of the criteria. The recommended modification to criterion a) will allow the implications of the housing mix on the site to be assessed against commercial viability issues and to be revised accordingly where necessary. The recommended modification to criterion e) acknowledges that the development of the site will be influenced both by established dwellings to the west (off Church Lane) and to the north of the site with extant planning permission.
- 7.24 Otherwise the policy meets the basic conditions. It is a positive policy which proactively promotes new development to meet local and strategic objectives and housing needs.

- 7.25 There is a clear inconsistency between the positive approach taken in the policy and the commentary in the associated Actions (in paragraph 6.2.3) about making representations for the proposed housing site (WL/KEE/03) to be removed from the emerging review of the CLLP. There is a separate mechanism for taking this approach should KPC wish to do so. As such, I recommend the deletion of the first point in paragraph 6.2.3.

Replace the opening element of the policy with:

‘Land at Church Lane is allocated for the development of up to 100 residential dwellings and associated infrastructure, as identified in Appendix 3. The development of this site should be of the highest quality design and will demonstrate how it complies with the following principles.’

In a) replace the second sentence with: ‘Subject to viability considerations 20% of all new homes should be 1- and 2-bedroom dwellings.’

Replace e) with: ‘Respond to local character by ensuring that building heights are consistent with residential dwellings in the immediate locality.’

In i) replace ‘a detrimental’ with ‘an unacceptable’

Delete the first Action in paragraph 6.2.3

Policy 2b: Other New Residential Developments

- 7.26 This is a general policy on new residential development. It seeks to add value to CLLP Policy SP4. It does so to good effect.
- 7.27 I recommend a series of modifications to the policy to bring the clarity required by the NPPF. The recommended modification to the first part of the policy provides a clearer context for the delivery of the various criteria through the development management process by WLDC.
- 7.28 I also recommend detailed modifications to the design criteria in the first part of the policy and to the other parts of the policy. Whilst they refine the wording to ensure that the criteria can be applied clearly and consistently, they do not alter the general approach taken in the submitted policy.

Replace the opening element of the first part of the policy with:

‘Development proposals for new residential development will be supported if they fill a gap within the existing* developed footprint of Keelby, as defined by Local Plan Policies S2 and S4, and where the proposal:’

Replace a) with ‘is for ten homes or less’

In b) replace ‘has regards’ with ‘positively responds’

In d) replace ‘the unnecessary’ with ‘an unacceptable’

In part 2 of the policy replace ‘must’ with ‘should’

In part 5 of the policy replace ‘appropriate and proportional’ with ‘proportionate’

Policy 3: Local Residential Design Principles

- 7.29 This policy sets out local design principles. In general terms it is intended to supplement the contents of the National Design Guide.
- 7.30 In its response to the clarification note KPC advised that the policy has been designed to apply to existing homes. This will supplement the approach to the allocated site (in Policy 2a) and to other proposals for new homes (in Policy 2b). I recommend that the supporting text clarifies this position and approach.
- 7.31 In the round the policy has been prepared to good effect. It identifies a series of locally-distinctive matters. In this context it will do much to secure high quality design in the parish.
- 7.32 Within this overall context, I recommend a series of modifications to ensure that the policy has the clarity required by the NPPF. This will ensure that the policy can be applied clearly and consistently throughout the Plan period. The recommended modification to the opening element of the first part of the policy is particularly important in setting a wider framework within which the various criteria can be applied.
- 7.33 In the second part of the policy, I correct the car parking standards so that they correspond with those in the CLLP Review. Otherwise, the policy meets the basic conditions. It will be an important policy in influencing a range of minor and/or domestic development proposals which will continue to come forward on a regular basis in the Plan period.

Replace the opening element of the first part of the policy with: ‘Development proposals for the extension or alteration of existing homes should deliver high quality designs which respond positively to the specific character of the area and the following criteria:’

In b) replace ‘nearby properties’ with ‘development in the immediate locality’

In e) replace ‘possible’ with ‘practicable’ and ‘distinct’ with ‘distinctive’

In the second part of the policy replace ‘1 space’ with ‘2 spaces’ and ‘2 spaces’ with ‘3 spaces’.

At the end of the first paragraph of 6.3.1 add: ‘Policy 3 has been designed to apply to existing homes. This will supplement the Plan’s approach to the allocated housing site (in Policy 2a) and to other proposals for new homes (in Policy 2b).’

Policy 4: Business and Service Development

- 7.34 This is a wide-ranging policy on economic development and community facilities. It has specific components on business development, community facilities, business diversification and internet communication.

7.35 In general terms the policy addresses the various issues in a positive fashion. I recommend the following series of modifications to ensure that the various policy elements have the clarity required by the NPPF and will be able to be applied consistently through the Plan period:

- a reconfiguration of the second part of the policy so that the facilities are listed before the policy element and a simplification of the policy itself;
- a reconfiguration of the third part of the policy so that it is locally-distinctive;
- a reconfiguration of the fifth part of the policy to remove the clumsy double negative; and
- a simplification of the sixth part of the policy.

7.36 Otherwise the policy meets the basic conditions. It will assist in the delivery of the economic and social dimensions of sustainable development.

Replace the second part of the policy with:

‘The Plan identifies the following key services:

[List the facilities in the policy]

Proposals for the redevelopment or the change of use of any of the identified key services to a non-community use will only be supported where:

- **alternative services are proposed as part of the development concerned;**
or
- **it can be demonstrated that the existing use is unviable.’**

Replace the third part of the policy with: ‘The sensitive conversion of existing buildings and/or the development of well-designed new buildings for business use which are compatible with the village character will be supported where they are located within the existing developed footprint of the village and are of a scale which reflects the character of the village.’

Replace the fifth part of the policy with: ‘Proposals for new industrial developments and renewable energy schemes (such as solar, wind, biomass) which comply with local or national planning policy will be supported.’

Replace the sixth part of the policy with: ‘Proposals which would deliver the provision of high speed, reliable internet connectivity and infrastructure throughout the Parish will be actively supported.’

Policy 5: Environment and Countryside

7.37 This policy is general in nature. It sets out to ensure that new development will safeguard the environment of the wider parish.

7.38 In general terms the policy takes a positive approach to the countryside. I saw during the visit that the countryside provides a broader context to the village and its setting.

- 7.39 I recommend a modification to the opening component of the policy so that it can be applied on a proportionate basis.
- 7.40 I also recommend a detailed addition to criterion b) so that it responds to the national agenda on biodiversity net gain.
- 7.41 Finally, I recommend the deletion of criterion d) and its repositioning into the supporting text. This acknowledges that it explains how a process will take place rather than being a land use policy.

Replace the opening element of the policy with: ‘As appropriate to their scale, nature and location development proposals should preserve, and where practicable, enhance the natural environment and open countryside and maintain the rural character of Keelby. In particular, development proposals should:’

At the end of b) add: ‘Where appropriate development proposals should deliver a biodiversity net gain of at least 10%.’

Delete d.

At the end of the third paragraph of 6.5.1 add: ‘Policy 5 addresses this important matter Where it is necessary to do so applicants should undertake a formal local ecological assessment of the proposed development (particularly in the areas of Roxton Wood and Saddle Wood).’

Policy 6: Roads and Transport

- 7.42 This policy seeks to ensure that any enhancements to main roads should not increase traffic movements in the village.
- 7.43 In its response to the clarification note KPC advised that the issue of traffic in the village had been a major issue raised during the consultation exercises and that traffic levels in the village could be negatively affected by works to the three major highways in and around the parish.
- 7.44 I recommend that the policy is modified so that it relates only to works within the parish and to increases in traffic in the village which could directly be related to any road enhancements. This acknowledges that the land use planning system cannot control the level of use of the highway network.

Replace the policy with: ‘Proposals for the redesign of major roads in the parish should be designed in a way which would not directly result in an increase in traffic levels in Keelby village.’

Policy 7: Walkways and Cycle Routes

- 7.45 This policy sets out to ensure that new developments provide walkways and cycle routes to the central parts of the village. The second part of the policy follows a similar format in relation to safe links to the National Cycle Route Number 1 and to Immingham and Grimsby.

- 7.46 I recommend that the first part of the policy is modified so that it can be applied in a proportionate way and where it is practicable to do so. As submitted, the policy has a universal effect and would not sensibly apply to minor and domestic proposals. I also recommend that the supporting text clarifies the definition of the central parts of the village to bring a degree of certainty to this matter.
- 7.47 I recommend detailed modifications to the second part of the policy to ensure that it can be applied in a consistent fashion throughout the Plan period. Otherwise, it meets the basic conditions.

Replace the first part of the policy with: ‘As appropriate to their scale, nature and location development proposals should provide links for walking routes to the central areas of Keelby where it is practicable to do so.’

In the second part of the policy replace ‘Any development opportunities for the creation of’ with ‘Proposals which would provide’

At the end of the third paragraph of 6.6.1 add: ‘The first part of Policy 7 indicates that development proposals should provide links for walking routes to the central areas of the village. For clarity the central areas of the village include the Church, the Village Hall, Manor Street and Victoria Road.’

At the end of the final paragraph of 6.6.1 add: ‘The second part of Policy 7 addresses this matter.’

Non-land use Actions

- 7.48 The Plan includes a series of Actions. They have naturally arisen during the production of the Plan. They are not land use matters.
- 7.49 The Actions are weaved into the Plan with the policies rather than being addressed in a separate part of the Plan. On balance I am satisfied that the approach is appropriate. I have reached this decision for three related reasons. The first is that the Actions are presented in a different way to the policies. The second is that some of the Actions complement the land use policies. The third is that the arrangement makes the Plan more intelligible to the casual reader.
- 7.50 I am satisfied that the Projects are appropriate to the neighbourhood area and reflect its distinctive character.

Monitoring and Review

- 7.51 Section 7 of the Plan helpfully comments about how it will be monitored and reviewed. In general terms it does so to good effect.
- 7.52 However, it does not directly acknowledge that the review of the CLLP will be a key stage in the ongoing effectiveness of a ‘made’ neighbourhood plan. In this emerging context, I recommend that the Plan includes a more explicit reference to the ongoing review of the CLLP. This will be particularly important if the strategic approach taken in that Plan differs significantly from the adopted CLLP.

At the end of Section 7 add:

'The Parish Council will give particular attention to the ongoing review of the Central Lincolnshire Local Plan. Its eventual adoption will be a key element in an assessment of the need or otherwise for a potential review of the neighbourhood plan. In this context, the Parish Council will assess the need for a 'made' neighbourhood plan to be reviewed within six months of the adoption of the review of the Local Plan.'

Other Matters - General

- 7.53 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 KPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text and other details (where necessary) to achieve consistency with the modified policies.

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 2040. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Keelby Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 The recommended modifications to the policies in the Plan will ensure that it has the clarity required by the NPPF. Whilst some details will change, the Plan 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 Keelby 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 on 9 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
24 March 2023