

Hemswell Cliff Neighbourhood Development Plan 2021-2036

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

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Executive Summary

- 1 I was appointed by West Lindsey District Council in March 2023 to carry out the independent examination of the Hemswell Cliff Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 21 March 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 parish and to guide new development proposals. It addresses the wider proposals for new business development and allocates land for residential development
- 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 Hemswell Cliff 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
16 August 2023

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Hemswell Cliff Neighbourhood Development Plan 2021-2036 ('the Plan').
- 1.2 The Plan has been submitted to West Lindsey District Council (WLDC) by Hemswell Cliff Parish Council (HCPC) 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, economic development, 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 HCPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WLDC and HCPC. 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 modifications 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 Strategic Environment Assessment.
- the Design Code.
- the Character Assessment.
- the Green Spaces Assessment.
- the Housing Needs Assessment.
- the Site Options and Assessment.
- the Hemswell Cliff Local Development Order 2017.
- the Hemswell Cliff Masterplan 2016.
- the representations made to the Plan.
- HCPC's responses to the Clarification Note.
- the adopted Central Lincolnshire Local Plan Review April 2023.
- the National Planning Policy Framework 2021.
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 21 March 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.

3.4 Since the Plan was submitted, the Central Lincolnshire Local Plan Review (CLLPR) has been adopted. The details of that Plan are set out in Section 5 of this report. Plainly this matter is beyond the control of HCPC. In these circumstances I will assess the submitted Plan against the CLLPR rather than the Central Lincolnshire Local Plan (CLLP) which it replaced.

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 HCPC prepared a Consultation Statement. It provides specific details on the consultation process that took place on the pre-submission version of the Plan between July and August 2021.
- 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 2.1 of the Statement. They include the community questionnaire delivered to every household in the parish in November 2017, the equivalent survey for businesses at the same time and a comprehensive range of community engagement events.
- 4.4 Section 2.6 of the Statement set out details of the responses received on the pre-submission version of the Plan from statutory bodies and residents. It also sets 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 photographs of some of the various events. 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 in October 2022. This exercise generated comments from the following statutory and local organisations:

- Anglian Water
- Coal Authority
- Canal and River Trust
- Doncaster Sheffield Airport
- North Kesteven District Council

- Environment Agency
- Exolum Pipeline
- Global Berry
- National Highways
- Historic England
- Natural England
- Severn Trent Water
- Sport England
- NHS Lincolnshire Health and Care Partnership
- NHS Lincolnshire Integrated Care Board
- Upper Witham Internal Drainage Board
- Nottinghamshire County Council
- West Lindsey District Council
- Health and Safety Executive
- Lincolnshire County 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 HCPC managed the wider process.

4.9 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 Hemswell Cliff. It was designated as a neighbourhood area on 8 June 2016. In 2011 it had a population of 794 persons living in 279 households.
- 5.2 Hemswell Cliff sits in attractive countryside to the north of Lincoln. It is located to the immediate west of the A15 and the bulk of the parish sits to the north of the A631. Most of the parish is dominated by the former RAF Hemswell Cliff and the associated housing for the base. Several of the former military buildings have now been converted to commercial uses, including the sale of antiques. Modern commercial buildings are located to the immediate north of the former military buildings.
- 5.3 The parish also includes the historic settlement of Spital -in-the Street along the A15 and some of the buildings at Caenby Corner (the junction of the A15 and the A631).

Development Plan Context

- 5.4 The Central Lincolnshire Local Plan Review (CLLPR) was adopted in April 2023. It sets out the basis for future development in the Central Lincolnshire area up to 2040. The CLLPR provides a very clear spatial context for development in the neighbourhood area. Policy S1 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 Hemswell Cliff is identified as one of a series of Medium Villages.
- 5.5 Policy S1 also provides a framework for the development of neighbourhood plan policies in the various settlement categories. It comments that well-connected or well served medium villages may receive some limited growth through allocations in this plan in order to achieve a balance between ensuring the vitality of the village and protecting the rural character. It also comments that beyond site allocations made in the plan or any applicable neighbourhood plan, development will be limited to that which accords with Policy S4: Housing Development in or Adjacent to Villages or other policies relating to non-residential development in this plan as relevant.
- 5.6 Policy S81 of the CLLPR allocates a range of sites for housing development in the medium villages. The allocations include the following sites in the neighbourhood area:
- WL/HEMC/001 Land south of the A631 (7.56 ha – 180 homes).
 - WL/HEMC/006 Land north of the A631 (6.87 ha – 103 homes).
 - WL/HEMC/007 Land at Lancaster Green (1.08 ha – 38 homes).
- 5.7 Policy S29 of the CLLPR identifies land to the north and west of the former RAF base as one of a series of Strategic Employment Sites (E6).

5.8 The CLLPR includes a wide range of other policies. In summary, the following other CLLPR policies have been particularly important in underpinning neighbourhood plan policies:

- S5 Development in the Countryside
- S20 Resilient and Adaptable Design
- S28 Spatial Strategy for Employment
- S64 Local Green Space

The submitted Plan has been prepared within the context provided by the adopted CLLPR. 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 visited the neighbourhood area on 21 March 2023.
- 5.10 I approached the neighbourhood area along the A15 from the south. This highlighted its relationship to the strategic road network. It also highlighted the very distinctive rural setting of the parish and the way in which it related to the Lincoln Cliff.
- 5.11 I looked initially at the scale and nature of the various antique centres. I saw a range of traditional antiques together with some features which related to the former military base (including an aeroplane fuselage). I saw the clear popularity and attractiveness of the wider site to the antique trade.
- 5.12 I took the opportunity to look at the proposed local green spaces on the former RAF base. I saw the scale and significance of the green area to the immediate north of Bettesworth Road.
- 5.13 I then looked at the more modern industrial and commercial buildings to the north and west. I saw that they were of a very different character and scale to the former military buildings elsewhere in this part of the parish.
- 5.14 I then looked at the two proposed housing sites to the north of the A631. I saw the way in which they related to the road to the south and to the wider agricultural landscape to the north.
- 5.15 I then looked at the two smaller housing sites to the south of the A631. I paid particular attention to the way in which they would relate to Canberra Crescent and Lancaster Green.
- 5.16 I then looked at Spital-in-the-Street on the A15. I saw that it had a very different character to that of Hemswell Cliff and was dominated by the main road. I left the neighbourhood area by driving along the A15 to the north and eventually to 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 Hemswell Cliff Neighbourhood Plan:

- a plan-led system – in this case the relationship between the neighbourhood plan and the adopted CLLP Review;
- 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 detailed policies on residential and employment development. It also includes 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 (Policy 3) and for economic development (Policy 6). In the social dimension, it includes a policy on a village centre (Policy 4) and for community facilities (Policy 7). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on design (Policy 2), the historic environment (Policy 5) and green spaces and biodiversity (Policy 8). HCPC 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 CLLPR. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan (which is now the CLLPR).

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan (General) (Amendment) 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 would have any significant effects on the environment and accordingly would require SEA.
- 6.16 The resulting SEA is comprehensive and thorough. Its conclusions (in paragraphs 4.2 to 4.7 of the Assessment) are as follows:

'The SEA considers the contributions of the HCNP in both mitigating potential negative effects, and enhancing positive opportunities associated with the significant growth that is occurring in Hemswell Cliff. The HCNP seeks to complement the Local Plan growth strategy with additional housing, and the creation of a new village centre; and is predicted to deliver both positive and negative effects overall in relation to the SEA objectives.

Significant and minor long-term positive effects are anticipated in relation to population and communities and health and wellbeing, respectively, through supporting sustainable growth of the community and healthy lifestyles. The HCNP seeks to deliver housing and a new village centre to meet local needs; and provides significant support for increasing levels of accessibility and self-containment. Further to this the HCNP supports the vitality and viability of the parish through the protection of valued green spaces, a net gain in community infrastructure (including health infrastructure) that meets resident needs, and support for sustainable local economic growth.

Minor long-term positive effects are also anticipated in relation to the historic environment SEA theme in light of proposed policy protections, identification of local assets, and design principles set out through the Hemswell Cliff Design Code.

Minor negative effects are predicted in relation to climate change and transportation as a result of the cumulative level of growth in the village which is likely to impact upon the strategic road network. It is however recognised that the HCNP policies, supplemented by the Hemswell Cliff Design Code and Masterplanning work, seek to

minimise these impacts; particularly in relation to emissions, and improve local accessibility to combat these effects.

Negative effects are also predicted in relation to the landscape SEA theme, given that growth at allocations proposed in the HCNP are likely to change the landscape, and to a relatively significant degree in the east of the existing settlement. Considering the Local Plan context, and likely changes to baseline in the absence of the HCNP, overall effects are considered to be minor. Furthermore, it is recognised that HCNP policy provisions are supplemented by the Hemswell Design Code and Masterplanning work, which seeks to ensure new development in the village does not affect the most sensitive areas of the landscape, nor rural setting of the village.

Significant and permanent negative effects are anticipated in relation to the land, soil, and water resources SEA theme as a result of the loss of high-quality 'best and most versatile' agricultural land. However, it is considered that this is reflective of a lack of brownfield land opportunities and the extent of high-quality agricultural land that surrounds the Plan area.'

- 6.17 The SEA assesses a series of alternative options for the delivery of new housing. HCPC concluded that it wished to include all the options assessed in the submitted Plan.
- 6.18 On the balance of the evidence, I am satisfied that this matter has been considered in a thorough and robust way. The SEA makes a series of recommendations for the way in which certain policies can include mitigation measures to address some of the environmental impacts identified in the report. I address these matters on a policy-by-policy basis in Section 7 of this report.

Habitats Regulations Assessment

- 6.19 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)).
- 6.20 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

- 6.21 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

- 6.22 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 HCPC 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 Community Aspirations 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 Aspirations are addressed after the policies.
- 7.6 For clarity, this section of the report comments on all policies in the Plan.
- 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 The initial elements of the Plan set the scene for the policies. They are commendable in the way that they are proportionate to the neighbourhood area and its subsequent policies. The Plan is well-presented. The distinction between the policies and the supporting text is clear. The footer to the Plan has not been changed following the consultation on the pre-submission Plan. I recommend accordingly.

Replace the footer with 'Submitted Version'

- 7.9 Section 1 introduces the Plan. It includes information about the wider neighbourhood plan agenda and the specific reasons which have caused HCPC to produce the Plan. It identifies the neighbourhood area in Figure 1. For completeness, I recommend that this part of the Plan identifies the Plan period.

At the end of paragraph 1.2.3 add: 'The neighbourhood area is shown in Figure 1. The Plan period is 2021 to 2036.'

- 7.10 Section 2 comments about the way in which the Plan was produced. The schedule of community events overlaps with the information in the Consultation Statement. The Process Flow chart helpfully summarises the process in a visually attractive way.

7.11 Sections 3 comments about the neighbourhood area to very good effect. It includes information about its history and the current circumstances. This information underpins several of the policies in the Plan.

7.12 Section 4 sets 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:

'Hemswell Cliff will include all members of the Parish as a united community, without the divisions that currently exist. Community engagement will be encouraged, utilising existing and future facilities. Sensible development on appropriate sites will support the expanding economy, encourage enterprise, create new jobs and enable provision of community services such as a facility for a GP/health centre. Better connectivity will enable those residents without cars to access regular and reliable public transport, to increase people's opportunities and decrease isolation. The village will be a safe and resilient place to live in, presenting adaptive solutions in the face of climate change and related events.'

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

Policy 1: Sustainable Development

7.14 This policy has been designed to have a general effect. It sets out a series of principles to ensure that new development in the parish is sustainable. In the round it is a positive policy. It provides a wider context for the other policies in the Plan.

7.15 Within this overall context, I recommend that the opening element is recast so that it sets out the key principles listed in the policy rather than commenting on the outcome of planning applications. Inevitably the outcome of development proposals will be affected by other policies in the development plan. I also recommend a detailed modification to the wording of one of the principles.

7.16 The policy includes commentary from the Ministry of Defence. The comments are not a policy and as such I recommend that they are repositioned into the supporting text. Otherwise, the policy meets the basic conditions. It will provide a wider context for the delivery of sustainable development in the parish.

Replace the opening element of the policy with: 'In order to sustain and enhance the sustainability of the neighbourhood area, development proposals should respond positively to the following principles:'

In g replace 'negatively' with 'unacceptably'

Delete the final element of the policy on the comments from the Ministry of Defence.

At the end of paragraph 5.1.9 add the deleted element of the policy (in the same format as the other supporting text).

Policy 2: Delivering Good Design

- 7.17 This is an important policy in the Plan. It sets out to ensure that new development delivers good design. The approach taken is underpinned by both the Character Assessment and by the Design Code. In combination the two documents present a high-quality assessment of the existing character of the parish and the way in which new development should come forward in the Plan period. In the round the approach taken is an excellent local response to Section 12 of the NPPF.
- 7.18 Within this context I recommend that the initial part of the policy is modified so that it can be applied by WLDC in a proportionate way. Plainly individual proposals will have different impacts on the local environment and will present their own opportunities for good design. I recommend a similar modification to the second part of the policy so that the two component parts take a consistent approach to the language used.
- 7.19 I also recommend the deletion of the link to a '49' in Part 1 vi which is not detailed in the Plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the environmental dimension of sustainable development.

In Part 1 of the policy replace 'All development' with 'As appropriate to their scale, nature, and location development proposals'

In Part 1 vi) of the policy delete the '49' reference

In Part 2 of the policy replace 'All development' with 'Development proposals'

Policy 3: Housing Development

- 7.20 This policy sets out the Plan's approach towards new housing development. Its selection of housing sites is supported by the SEA (and as summarised in Section 6 of this report). The sites originated from the Call for Sites exercise in 2019. They have been tested by AECOM for HCPC in the Site Options and Assessment.
- 7.21 The policy proposes the development of the following sites:
- H1 Land to the north of the A631;
 - H2 Land to the north of the A631;
 - H3 Land at 52/53 Canberra Crescent; and
 - H4 Land at 8 Lancaster Green.
- 7.22 There is an understandable overlap between the sites allocated in the adopted CLLPR. Site H1 in the submitted Plan is WL/HEMC/006 in the CLLPR. Site H4 in the submitted Plan lies to the immediate south of WL/HEMC/001 in the CLLPR. In its response to the clarification note HCPC advised that given the overlap with the CLLPR allocations, site H1 is not intended to be allocated for housing development in the Plan. I recommend modifications to the policy to clarify this matter. I also recommend consequential modifications to the second part of the policy.

- 7.23 In the round, the Plan takes a positive approach to the delivery of new housing. It adds value to the allocations in the CLLPR. It will contribute to the government's ambition in paragraph 60 of the NPPF to boost the supply of housing land.
- 7.24 I recommend detailed modifications to the wording of parts 4 and 5 of the policy to bring the clarity required by the NPPF.
- 7.25 Part 6 of the policy sets out specific requirements for the coordinated development of sites H1 and H2 including their phasing. I have taken account of HCPC's response to the clarification note on this matter. I have also considered the broader comments made by WLDC and the way in which they highlight comments from statutory bodies. In the round, I am not satisfied that the prescriptive approach proposed in the Plan is either reasonable or would meet the basic conditions. Such an approach has the clear potential to restrict and hinder the development of the sites. This would be contrary to national policy. I recommend that the policy is recast to remedy this matter.
- 7.26 Part 7 of the policy comments about the way in which Site H4 should be accessed. I am satisfied that the approach taken meets the basic conditions. However, I recommend that the unnecessary explanation in the policy is deleted and that the commentary in paragraph 5.3.18 of the Plan is refined.
- 7.27 Part 8 of the policy comments about the need for proposals for residential development to safeguard heritage assets in the parish. Whilst this is an important matter it is not directly a policy. I recommend that its sentiments are relocated into the supporting text.
- 7.28 The SEA report makes five recommendations about the way in which the Plan should address measures to mitigate the effects of new development (Paragraph 10.9). In summary they are avoiding the loss of habitat on Site H2, archaeological investigations, consultation with Lincolnshire County Council on technical matters, consultation with Anglian Water on technical matters, and opportunities for the provision of open space on Site H2. For whatever reason, they have not been incorporated into the Plan. I recommend modifications to remedy this matter. They will ensure that there is a direct relationship between the SEA process and the details in the Plan. This is required to ensure that the Plan itself meets the basic conditions.
- 7.29 Otherwise, the policy meets the basic conditions. It represents a very positive approach to the delivery of housing in the parish. It will also contribute to the delivery of the economic dimension of sustainable development.

Replace part 1 of the policy with:

'The Plan allocates the following sites for residential development:

- **Site H2 Land to the north of the A631;**
- **Site H3 Land at 52/53 Canberra Crescent; and**
- **Site H4 Land at 8 Lancaster Green.'**

Replace part 2 of the policy with:

Proposals for residential development will be supported on the three allocated housing sites, the site allocated in the CLLPR (WL/HEMC/006 (and shown as site H1 on Policy Map 3) and on sites which are already committed for housing purposes. Residential development will also be supported as part of proposals for a Village Centre subject to the provisions of Policy 4 of this Plan.

In part 4 of the policy replace the two uses of ‘must’ with ‘should’

In part 5 of the policy replace ‘Development must’ with ‘Development proposals for the individual sites should’

At the end of part 5 of the policy add: ‘The development of site H2 should include compensatory woodland planting and/or the establishment of new habitats off site.’

Replace part 6 of the policy with:

‘Development proposals for sites H1 and H2 should ensure that residential development is appropriately coordinated and integrated. Their overall development should incorporate:

- **a buffer area between the homes and the sewage works to the north; and**
- **the protection of the high-pressure pipeline which crosses the southern part of the two sites’**

In part 7 of the policy delete ‘which is the subject...Lancaster Green’

Delete part 8 of the policy.

In paragraph 5.3.18 replace ‘acceptable’ with ‘supported’

At the end of paragraph 5.3.19 add: ‘This is also the case with built heritage assets. Where appropriate, archaeological investigations should be undertaken on the various sites before development takes place. Developers should liaise with Anglian Water (on the delivery and phasing of infrastructure) and with Lincolnshire County Council (on the Limestone Mineral Safeguarding Area and the Petroleum Exploration Development Licence Block) as part of the development of proposals for the allocated housing sites.’

Policy 4: Village Centre

7.30 This is another important element of the Plan. In this case, it sets out the basis on which a village centre would be developed. This approach would help significantly to address the lack of traditional facilities available in the parish. In these circumstances, I recommend that the policy’s title is modified so that it more clearly describes its purpose.

7.31 Paragraph 5.4.4 of the Plan comments about the relationship between the policy and the details as set out in the 2016 Masterplan. It also comments about the community’s ongoing preference for the Village Centre to be located within or around the Sergeant’s

Mess. This would be an excellent use of the building. However, in order to retain a degree of flexibility I recommend that the policy is modified so that it takes on a more general format. This may be required in the Plan period if commercial or other reasons prevent the Mess being used for such a purpose. This approach relates both to the first and third parts of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In part 1 of the policy delete ‘focused on...historic building)’

Replace the opening element of the third part of the policy with: ‘The following package of uses will be supported within the proposed Village Centre:’

Replace the policy title with: ‘A Planned Village Centre’

Policy 5: Historic Environment

- 7.32 This policy addresses the historic environment of the parish. It comments about both designated and non-designated heritage assets. The first part of the policy lists the various assets. In its response to the clarification note HCPC acknowledged that some elements of the policy repeat or restate national policy on heritage matters.
- 7.33 Given that there is no need for a neighbourhood plan to repeat national or local policies I recommend that the policy is recast so that it refers simply to the proposed non-designated assets. I am satisfied that the proposed assets have been appropriately assessed. They will help to safeguard the importance and significance of the former RAF base. As part of the recommended approach, I recommend that the contents of paragraph 203 of the NPPF are applied to any development proposals which would affect a non-designated heritage asset.

Replace the policy with:

‘The Plan identifies the following non-designated heritage assets: (list as bullet points 1b-1e)

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining development proposals affecting the assets listed in the first part of this policy. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

Policy 6: Employment and Business Development

- 7.34 This is another important policy of the Plan. It comments about employment development. The submitted Plan seeks to continue and consolidate the approach previously taken in the Hemswell Cliff Masterplan (2016), and in the WLDC Food Enterprise Zone Local Development Order (LDO) (2017). The policy will also provide

a local interpretation of Policy S29 of the Central Lincolnshire Local Plan in which the area covered by the LDO is identified as a Strategic Employment Site (Site E6).

- 7.35 The LDO operates up to June 2027. In these circumstances there will be a degree of overlap between the proposed policy and the effects of the LDO (in the area in which the LDO applies). I recommend modifications to address this matter.
- 7.36 The policy identifies a series of employment areas on Policy Map 6 and then applies specific policies to the component areas. In general terms the approach taken in the policy takes account of the characteristics of the parcels of land concerned and takes a positive approach to the promotion of employment opportunities. Nevertheless, in order to bring the clarity required by the NPPF I recommend the following package of modifications:
- aligning the Food Enterprise Zone area as shown on Map 6 to the area identified in the Food Enterprise Zone LDO;
 - ensuring that the policy acknowledges the effect of the LDO (until June 2027);
 - removing the references throughout the policy to support for the ongoing use of the various components of the site (which would not need planning permission); and
 - the separation of part e of the policy (employment development elsewhere in the parish) from the main part of the policy (which addresses the area in and adjacent to the former RAF base).
- 7.37 I also recommend detailed modifications to the wording used in the second part of the policy (which addresses general requirements for all business uses) in order to bring the clarity required by the NPPF.
- 7.38 I also recommend consequential modifications to paragraphs 5.6.5 to 5.6.9 of the Plan.
- 7.39 The quality of Policy Map 6 is not to the standards required for a development plan document and is not produced to the clarity of other maps in the Plan. I recommend that it is reconfigured and clarified.
- 7.40 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the economic dimension of sustainable development. In addition, it consolidates the earlier policy approaches towards this important employment site.

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

‘Development proposals in the identified areas on Policy Map 6 will be supported where they are consistent with the following requirements:’

Replace the Food Enterprise Zone section with:

- **uses for agri-food development (other than where it would be permitted by the Local Development Order up to June 2027);**
- **uses which are ancillary to the agri-food sector; and**
- **other uses which would be compatible with the agri-food sector and would not detract from the development of an agri-food zone**

In part b in the first section delete ‘will be supported’

Thereafter replace the remainder of part b with:

- **developments which are ancillary to B2 and B8 uses and compatible to the operation of the industrial estate;**
- **they are located adjacent to the proposed Village Centre and would otherwise be compatible with Policy 4 of this Plan.**

In part c of the policy delete i

In part c ii) delete ‘will be supported’

In part c iii) replace ‘will be encouraged and supported’ with ‘should be incorporated where it is practicable and viable to do so’

In part d:

- **replace ‘Sunday Market’ with ‘The current Sunday Market Area’**
- **delete i)**
- **in ii) delete ‘As an alternative’ and ‘will be supported’**
- **in iii) replace ‘will only be supported if they’ with ‘which’**
- **Delete iv).**

Reposition part 1e of the policy so that it is a free-standing part of the policy (Part 2). In that part of the policy delete i)

Re-number part 2 of the submitted policy to Part 3.

At the end of a) add ‘and the contents of Policy 2 of this Plan.’

In b) replace ‘significant’ with ‘unacceptable’

In c) replace ‘must be.... mitigated’ with should be appropriately mitigated’

Reconfigure Policy Map 6 so that it is clearer in visual terms and that the boundary of the Food Enterprise Zone corresponds with that in the LDO.

Replace paragraphs 5.6.5 to 5.6.9 with the following:

‘The policy seeks to provide a local interpretation of Policy S29 of the Central Lincolnshire Local Plan in which the area covered by the Food Enterprise Zone LDO is allocated as a Strategic Employment Site (E6).

The Order will operate until June 2027. Part 1a of the policy comments about its overlap with the Order. Development proposals may not need express planning permission if they accord with the Local Development Order.

Part 1c of the policy addresses the heart of the former RAF base. This is the area which includes most of the antique uses. Their ongoing operation would be consistent with industrial and commercial development which is supported by the policy.

Part 1c of the policy also overlaps with the contents of Policy 4 which supports the development of a Village Centre.

Part 1d of the policy addresses the area currently used by the Sunday Market. It is a popular activity in the local area. The policy offers support for the development of a range of commercial and leisure uses.'

Policy 7: Community Facilities

- 7.41 This policy responds to circumstances identified earlier in the Plan (paragraph 3.2.17) about the limited community facilities in the parish. It has two related functions. The first offers support to the development of specified community facilities. The second sets out the Plan's approach to proposals which would involve the loss of existing community facilities.
- 7.42 The first part of the policy takes a positive approach to the matter. I recommend that the reference to the Village Centre is modified so that it takes account of the recommended modifications to Policy 4 of the Plan.
- 7.43 I am satisfied that the second part of the policy meets the basic conditions. It acknowledges that development proposals may make alternative provision for the community facilities which would be lost. Equally, it acknowledges that viability issues relating to existing community facilities may alter in the Plan period.
- 7.44 The third part of the policy comments about the expectations that developers would engage with HCPC to understand the scale and nature of the need and demand for community facilities in the preparation of development proposals. Such an approach would be very helpful and collaborative. However, it is a process rather than a policy matter. As such I recommend that the part of the policy is deleted and repositioned into the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

In the first part of the policy replace 'Village Centre' with 'the proposed Village Centre'

Delete the third part of the policy.

At the end of paragraph 5.7.3 add the deleted element of the policy

Policy 8: Green Space and Biodiversity

- 7.45 This policy has two purposes. The first is the designation of a series of Local Green Spaces (LGS) (parts 1 and 2). The second is a general approach towards biodiversity (part 3).
- 7.46 There is no direct relationship between the two elements of the policy. On this basis I recommend that part 3 is repositioned as a free-standing policy. In doing so I recommend detailed modification to its wording. I also recommend consequential modifications to the supporting text.

- 7.47 Part 1 of the policy identifies four proposed LGSs. The Green Spaces Report sets out the justification for the LGSs. Part 2 of the policy sets out a policy context for the proposed LGSs. I looked at the LGS carefully during the visit.
- 7.48 Based on all the available information, I am satisfied that the proposed LGSs meet the three criteria for such designation as set out in paragraph 102 of the NPPF.
- 7.49 I am also satisfied that their designation would accord with the more general elements of paragraph 101 of the NPPF. They are established elements of the local environment and there is no suggestion that they would otherwise hinder sustainable development coming forward in the Plan period. Similarly, there is no evidence that they are incapable of enduring beyond the end of the Plan period.
- 7.50 The second part of the policy goes beyond the matter-of-fact approach taken in paragraph 103 of the NPPF. I recommend modifications to remedy this matter. WLDC will be able to make its own assessment of the extent to which any development proposals are consistent with the designation of the four LGSs. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace Part 2 of the policy with: ‘Development proposals will only be supported for LGSs in very special circumstances.’

Delete part 3 of the policy.

Add an additional policy to read:

‘Policy 9

As appropriate to their scale, nature and location, development proposals should contribute to a net gain in biodiversity, through mitigation of adverse impacts and the incorporation of measures to support and diversify natural habitats and wildlife.’

At the end of paragraph 5.8.5 add: ‘The policy takes on the format of paragraph 103 of the NPPF. The District Council will be able to make its own assessment of the extent to which any development proposals are consistent with the designation of the four local green spaces.’

At the end of paragraph 5.8.6 add ‘Policy 9 addresses this matter. It has been designed to be applied in a proportionate way.’

Community Aspirations

- 7.51 The Plan includes a series of Community Aspirations. They have naturally arisen during the production of the Plan. They are not land use matters.
- 7.52 The Actions are addressed in a separate part of the Plan. This is best practice.

- 7.53 I am satisfied that the Aspirations are appropriate to the neighbourhood area and reflect its distinctive character. The first aspiration (Green spaces and Outdoor spaces) will complement some of the land use policies in the Plan.

Monitoring and Review

- 7.51 Section 6 of the Plan helpfully comments about how it will be monitored and reviewed. It does so to good effect.

Other Matters - General

- 7.52 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 HCPC 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.

Other Matters – Specific

- 7.53 In addition to its comments on the policies, WLDC has raised a series of general comments on the Plan. They have been very helpful as part of the examination process. I recommend modification to the general parts of the Plan where they are necessary to ensure that they meet the basic conditions.

- 7.54 I also recommend a general modification to ensure that the Plan properly reflects the recent adoption of the CLLPR.

Revise and update the references to the Local Plan both generally and in Section 5 in particular

In paragraph 3.2.3 update the names of the businesses in the premises listed (using the information supplied by WLDC in its representation).

In paragraph 3.2.10 delete ‘and are not well maintained’

In paragraph 3.2.17 delete ‘that has now.... into disrepair’

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 the independent examination of the Plan, I have concluded that the Hemswell Cliff 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 Hemswell Cliff 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 8 June 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
16 August 2023