

Scothern Neighbourhood Development Plan Review 2023-2040

**A report to West Lindsey District Council on the
Review of the Scothern Neighbourhood
Development Plan**

**Andrew Ashcroft
Independent Examiner
BA (Hons) MA, DMS, MRTPI**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by West Lindsey District Council in November 2023 to carry out the independent examination of the review of the Scothern Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 1 December 2023.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It has a focus on safeguarding its built and natural environment and providing details for the development of the two allocated sites in the parish in the adopted Central Lincolnshire Local Plan Review.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Scothern Neighbourhood Plan Review 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
21 February 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the review of the Scothern Neighbourhood Development Plan Review 2023-2040 (the Plan).
- 1.2 The Plan has been submitted to West Lindsey District Council (WLDC) by Scothern Parish Council (SPC) 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). The NPPF continues to be the principal element of national planning policy. It was most recently updated in December 2023.
- 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 because 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. It can include whatever range of policies it sees as appropriate to its designated neighbourhood area. In this case, the Plan is a review of the 'made' Plan. It has been designed to be distinctive in general terms, and to be complementary to the development plan. The Plan has a focus on safeguarding its built and natural environment and providing details for the development of the two allocated sites in the parish in the adopted Central Lincolnshire Local Plan Review.
- 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 form a part of the wider development plan and be used to determine planning applications in the neighbourhood area.

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 SPC, to conduct the examination of the Plan and to prepare this report. I am independent of both the WLDC and SPC. 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 40 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I am a chartered town planner and have significant experience of undertaking neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 There are a variety of ways in which a review of a neighbourhood plan can be examined. They are described in Section 3 of this report. In this case I have concluded that the Plan needs both examination and a referendum.
- 2.5 In this context, as the independent examiner 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.

Other examination matters

- 2.6 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 Having addressed the matters identified in paragraph 2.6 of this report, I am satisfied that each of the points have been met subject to the contents of this report.

3 Procedural Matters

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

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Character Assessment.
- the Statement of Modifications.
- the SEA/HRA Screening report.
- the representations made to the Plan.
- SPC's responses to the clarification note.
- the adopted Central Lincolnshire Local Plan Review April 2023 (CLLPR).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 The various documents are helpfully available on the WLDC's website. Wherever possible, I will refer to the document concerned for the purposes of keeping this report as concise as possible.

3.3 I visited the neighbourhood area on 1 December 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 5.15 of this report.

The examination process for the review of a neighbourhood plan

3.4 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

3.5 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or

- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.
- 3.6 The submitted statement by SPC comments that the modifications to the policies are so substantial and significant to warrant consideration as a change to the nature of the Plan. Having considered the conclusions made by SPC very carefully, I also agree with the approach taken and will examine the Plan on this basis.
- 3.7 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing.
- 3.8 The NPPF was updated in both September and December 2023 after the Plan had been submitted. For clarity, I have assessed the Plan against the December 2023 version of the NPPF.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012, SPC has prepared a Consultation Statement. The Statement is proportionate to the neighbourhood area and the review of the policies in the made Plan. It reflects the specific circumstances that have generated the community's desire to review the Plan.
- 4.3 The Statement sets out the various activities that were held to engage the local community during the initial stages of the plan-preparation process. The principal event was a drop-in session on the proposed housing allocations (in December 2021). The Statement also provide details about the consultation process that took place on the pre-submission version of the Plan (September to November 2022).
- 4.4 The Statement sets out details of the community engagement that took place as the Plan was being prepared. Appendix A lists the comprehensive range of organisations which were consulted.
- 4.5 Table 2 of the Statement set out how the submitted Plan took account of consultation feedback at the pre-submission phase. This is a helpful way to set out the information. It helps to describe how the Plan was refined based on consultation and feedback.

Consultation Feedback

- 4.6 Consultation on the Plan was undertaken by WLDC. This generated representations from the following organisations:
 - Historic England
 - Anglian Water
 - Fytche-Taylor Planning
 - Gladman Developments Limited
 - Defence Infrastructure Organisation
 - National Gas Transmission
 - National Electricity Transmission
 - National Highways
 - Lincolnshire County Council
 - Witham Third District Internal Drainage Board
 - South and East Lincolnshire Councils Partnership
 - Great Lincolnshire Nature Partnership
 - Sustrans
 - NHS Lincolnshire Integrated Care Board

- Canal and River Trust
- Environment Agency
- West Lindsey District Council
- Natural England

4.7 I have taken all the comments into account in preparing this report. Where appropriate, I refer to specific representations in my commentary on the various policies in the Plan.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Scothern. It was so designated on 9 April 2015.
- 5.2 The parish is located to the north and east of Lincoln. It consists principally of the village of Scothern set within its wider agricultural hinterland. In 2011 it had a population of 860 persons living in 359 households. The parish has an irregular shape. It extends from the A46 (in the west) to the A158 (to the south and west).
- 5.3 The village has a tight and attractive built form. It displays its history and its agricultural background and context in many ways. Section 2 of the Plan indicates that like many other smaller villages Scothern no longer has a shop or a post office. Nevertheless, I saw the strong sense of community in the village on my visit to the neighbourhood area. There is an active school, a well-used village hall, the church and the Bottle and Glass public house. The three housing allocations in the made Plan have now been successfully developed.

Development Plan Context

- 5.4 The CLLPR was adopted in April 2023. It sets out the basis for future development in the Central Lincolnshire area up to 2040. It also 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 Scothern 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 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/SC/003 Land south-west of Main Street (3.07 ha – 53 homes); and
 - WL/SC/004A Land off Juniper Drive (2.72 ha – 41 homes).
- 5.7 The CLLPR includes a wide range of policies. In summary, the following 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

- 5.8 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The submitted Plan seeks to add value to the CLLPR and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Visit to the Neighbourhood Area

- 5.9 I visited the neighbourhood area on 1 December 2023. I approached it from Lincoln to the south and west along the A158 and then Sudbrooke Road. This helped me to understand its connection to the strategic road network and its setting in the wider countryside.
- 5.10 I looked initially at the proposed revision to the boundary of Local Green Space 1 (Village Hall and Playing Fields). The reasoning for the approach taken and the revised boundary were self-evident.
- 5.11 I took the opportunity to look at the developed housing allocations which were included in the made version of the Plan. I saw the differences in layout and density between the land off Langworth Road (Saxon Fields) and the land off Dunholme Road (St Germain's Way) sites. I also looked at the site off Heath Road.
- 5.12 I also took the opportunity to look at the various proposed housing allocations in the Plan. I paid particular attention to their relationship with existing development and with the surrounding countryside.
- 5.13 I then looked at the relationship between the Scothern Beck and the wider village.
- 5.14 Throughout the visit I sought to understand the way in which the Character Assessment had influenced the revised and new policies in the Plan.
- 5.15 I left the neighbourhood area by driving to Dunholme and then to Lincoln on the A46. This helped me to understand the relationship of the parish with other nearby settlements and the strategic road network.

6 The Neighbourhood Plan as a whole

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The 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 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 December 2023.

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 Scothern Neighbourhood Plan Review:

- a plan-led system – in this case the relationship between the neighbourhood plan and the adopted CLLPR;
- 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;
- 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 proposes revision to the policies in the made Plan and introduces a sharper focus on design matters. It also includes policies for the allocated housing sites in the parish in the CLLPR. 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 is reinforced in Planning Practice Guidance. Paragraph 041 Reference 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. Many 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 new residential development (Policies H3 and H4). In the social role, it includes policies on housing mix (Policy H2), and on community facilities (Policy C1). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It includes policies on design (Policy D1), and local green spaces (Policy E1). This assessment overlaps with SPC's comments on this matter in the 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.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to the policies in the development plan. Subject to the recommended modification in this report, 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) (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, WLDC published a screening report in March 2023 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It includes the responses from the consultation bodies. 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.

Habitat Regulations

- 6.16 WLDC prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It concludes that the submitted Plan is unlikely to have significant effects on a European site. The report is very thorough and comprehensive. It advises that there are no European sites either within 15km of the neighbourhood area or within the Central Lincolnshire Area. It concludes that the Plan will not give rise to likely significant effects on this European site, either alone or in combination with other plans or projects, and Appropriate Assessment is not required.
- 6.17 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 neighbourhood plan regulations.

Human Rights

- 6.18 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

- 6.19 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 neighbourhood area. The wider community and SPC have spent time and energy in identifying the issues and objectives that they wish to be included in the review of the 'made' Plan. The community has successfully marshalled the capacity to prepare the Plan to reflect changing circumstances including updated national planning policies and an emerging Local Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Paragraph 004 Reference ID:41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It also includes a series of Community Aspirations in Section 13.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. I then comment briefly on the Aspirations.
- 7.6 For clarity this section of the report comments on all the 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

- 7.8 The Plan is well-organised and includes effective maps and photographs that give real depth and purpose to the Plan. The photographs are particularly effective. The Plan makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan if it is eventually made. The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.9 Section 1 comments about the review of the Plan. It identifies the neighbourhood area (Map 1) and the Plan period (in paragraph 1.5). It helpfully sets out the reasons for the review of the Plan. Whilst the Plan approaches these issues in a positive way, I recommend modifications to paragraph 1.4 of the Plan so that it properly reflects the adoption of the CLLPR (in April 2023). Paragraph 7.76 of this report recommends other modifications to the Plan to reflect the adoption of the CLLPR.

Replace paragraph 1.4 with: ‘The development plan for the neighbourhood area is the Central Lincolnshire Local Plan Review, which covers West Lindsey, North Kesteven and the City of Lincoln Council. It was adopted in April 2023. The policies in the emerging version of that Plan were considered and taken on board as the review of the Neighbourhood Plan has developed. This is reflected in the Basic Conditions Statement. That document shows that the review of the Scothern Neighbourhood Plan meets the various legislative requirements including the basic conditions.’

7.10 Section 2 sets out the nature of the parish and identifies key issues. This is a very impressive section of the Plan. It has underpinned several of the policies.

7.11 Section 3 comments about the way in which SPC engaged local people and organisations during the preparation of the review of the Plan.

7.12 Section 4 sets out a comprehensive vision and objectives for the Plan. They are very distinctive to the neighbourhood area and provide an overall context for the resulting policies. The Vision is as follows:

‘By 2040, Scothern will continue to be a thriving, sustainable, supportive, rural community in which people enjoy living and working. Scothern will:

- *Remain a distinctive, rural Parish which treasures its heritage assets*
- *Ensure housing meets the needs of current and future residents*
- *Retain its high-quality natural environment*
- *Sustain a thriving community with excellent facilities.’*

7.13 Sections 5-12 set out the Plan’s policies. They are organised around the Objectives.

7.14 Section 13 highlights the non-land use Community Aspirations. I comment on them in more detail later in this report.

7.15 In the round, the Plan is a very good example of a review of a neighbourhood plan both in terms of its format and content.

7.16 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 of this report.

General comments on policies

7.17 The Plan helpfully consolidates the review process within the structure of the ‘made’ Plan. This results in a series of new policies, the retention of existing policies in the ‘made’ Plan and the deletion of policies. For the purposes of this report, I do not comment in any detail on the retained policies other than where they may have been affected by updates in national planning policy since the Plan was ‘made’ in 2017. Similarly, there is no need for me to comment on the deleted policies. In some cases, I have recommended modifications to the wording of policies in the made Plan to reflect the approach and language now taken in neighbourhood plans (which has matured since the Plan was made).

Policy H1: Location of New Residential Development

- 7.18 This is a new policy. It has been designed as a context to Policies H3 and H4 of the Plan which provide detailed guidance on the development of the two housing allocations in the CLLPR in the neighbourhood area. It also sets out to direct other development to locations within the development footprint and identifies a series of criteria for such development.
- 7.19 In general terms I am satisfied that this policy takes a positive approach to the location of new residential development. Plainly the proposed focus within and on the edge of the village will help to ensure that new development has a close relationship with existing community and commercial facilities. This approach will assist in promoting sustainable development.
- 7.20 WLDC suggests that the policy should show the developed footprint of the village on the policies map. However, in the wider context of the development plan I am not persuaded that such an approach is necessary. The submitted policy helpfully references Policy S4 of the CLLPR. In addition, the Glossary of the CLLPR provides general advice on the concept of a developed footprint.
- 7.21 The policy and the supporting text are rather prescriptive on the number of houses which are anticipated to be developed on the sites. This is contrary to the approach in paragraphs 13.2.3 and 13.2.4 of the CLLPR. I recommend specific modifications to the policy and the supporting text to remedy this matter. The recommended modifications overlap with the associated recommended modification to Policies H3 and H4 (later in this report).
- 7.22 Finally, I recommend a modification to the wording used in the second part of the policy so that it has the clarity required by the NPPF and can be used consistently by WLDC through the development management process.
- 7.23 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the first part of the policy delete ‘up to 94’

In Part 2 g) replace ‘has no unreasonable negative’ with ‘does not have an unacceptable’

Policy H2: Housing Type and Mix

- 7.24 This policy replaces H2 of the made Plan. It seeks to address housing affordability issues in the parish.
- 7.25 The policy has four related parts as follows:
- development proposals for 10 or more units (per site) should demonstrate that, at least, 25% of the total number of dwellings are for affordable housing of which all should be a mix of 1-, 2- and 3-bedroom dwellings. In addition to the

affordable housing, open market homes should also provide a mix of smaller 1-, 2- and 3-bedroom dwellings, including single story dwellings for those people that do not qualify for affordable housing or are wanting to downsize;

- the affordable housing units will be delivered on the application sites concerned;
- the dwellings should be integrated into the wider design of the site; and
- support will be given to schemes that include a proportion of self-build and custom-build housing.

7.26 Both Fytche Taylor Planning and Design and WLDC comment that the policy is not directly supported by up-to-date evidence in general and by a housing needs survey in particular. Both organisations also comment that the need for affordable homes does not necessarily equate to the provision of smaller homes. I have considered these matters very carefully. On the balance of the evidence, I am satisfied that some elements of the approach taken are justified. In addition, CLLP Policy 23 relies on an up-to-date Housing Market Assessment. However, I recommend modifications to the wording of elements of the policy so that it more clearly requires that the size of affordable homes reflects the most up-to-date information available at the time that planning applications are determined. I also recommend modifications to ensure that the policy will have the flexibility for larger affordable houses to be included in the overall mix where the evidence justifies the need for such provision.

7.27 Fytche Taylor Planning and Design suggests that several of the parts of the policy repeat elements of the existing development plan or national policy. I have considered this matter very carefully. On the balance of the evidence, I am satisfied that it is appropriate for the relevant information on affordable housing to be presented in this policy in the Plan. Otherwise, the supporting text would need to be expanded to highlight the cross-references between the different policies.

7.28 As submitted, the policy is unwieldy and does not have the clarity required by the NPPF. In addition to the recommended modifications set out in paragraphs 7.26 and 7.27, I recommend that the policy wording is rationalised and simplified. This will ensure that all the elements relating to affordable housing flow more naturally in the structure of the policy.

7.29 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Development proposals for 10 or more units (per site) should demonstrate that, at least, 25% of the total number of dwellings are for affordable housing. The delivered affordable homes should include a mix of house sizes (including 1-, 2- and 3-bedroom dwellings) which reflect the most up-to-date assessment of housing needs in the parish.

The affordable housing units should be delivered on the application sites concerned unless it can be demonstrated that circumstances exist that support

the equivalent provision on another site and/or the making of a payment for other off-site provision.

Affordable homes should be integrated into the wider design of the site concerned.

In addition to the affordable housing, open market homes should also provide a mix of 1-, 2- and 3-bedroom dwellings, including single storey dwellings.

Proposals for self-build and custom-build housing will be supported.'

The Housing Allocations

- 7.30 Policies H3 and H4 provide detailed advice about the development of the two housing allocations in the parish in the CLLPR. This is best practice.
- 7.31 As already highlighted in paragraph 7.21 of this report the Plan and the supporting text are rather prescriptive in the number of houses which are anticipated to be developed on the sites. This approach is contrary to the approach taken in paragraphs 13.2.3 and 13.2.4 of the CLLPR. I recommend specific modifications to the two policies on this matter in the following sections of this report. However, in a general sense, I recommend a consequential modification to the supporting text on the yield of the two sites.

Replace paragraph 7.20 with:

'Land at Dunholme Road (Site H1.4) and Nettleham Road (Site H1.5) are allocated for residential development and associated infrastructure within the review of the Central Lincolnshire Local Plan (2023). The Local Plan indicates that the indicative yield of the sites will be 53 and 41 homes respectively. However, these figures are not maximum figures. The detailed yield of each site will be determined through detailed proposals based on the policy approach taken in Policies H3 and H4 of this Plan.'

Policy H3: Site H1.4 Land to the southwest of Dunholme Road, Scothern

- 7.32 This is a new policy. It comments on the development of one of the two sites allocated for housing development in the parish in the CLLPR
- 7.33 The policy sets out a detailed design code in the form of a series of distinctive criteria. They include the mix of housing, vehicular access, and landscaping/natural features.
- 7.34 In general terms the policy takes a positive approach to the development of this site. It provides local details to the strategic approach taken in the CLLPR. It reflects its location adjacent to recent housing development and its relationship with the open countryside. In this wider context I recommend the following modifications to ensure that the policy is in general conformity with the strategic policies in the CLLPR and to bring the clarity required by the NPPF:
- the removal of any reference to the number of houses which will be developed on the site;

- the deletion of the redundant criterion f (following the closure of the biomass burner at the Scothern Garden Centre);
- the deletion of criterion o) which is not a land use planning matter;
- the deletion of criterion q) as parking is now addressed in the CLLPR; and
- the deletion of criterion r) as electric vehicle charging facilities are now controlled by the Building Regulations.

7.35 I also recommend a consequential modification to paragraph 7.21 which relates directly to criterion f).

7.36 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the opening part of the policy delete ‘up to 53 dwellings’

Delete f), o) q) and r)

Delete paragraph 7.21

Policy H4: Site H1.5 Land off Nettleham Road/Juniper Drive, Scothern

7.37 This is a new policy. It comments on the development of one of the two sites allocated for housing development in the parish in the CLLPR

7.38 The policy sets out a detailed design code in the form of a series of distinctive criteria. They include the mix of housing, vehicular access, and landscaping/natural features.

7.39 In general terms the policy takes a positive approach to the development of this site. It provides local details to the strategic approach taken in the CLLPR. It reflects its relationship with the open countryside. In this wider context I recommend the following modifications to ensure that the policy is in general conformity with the strategic policies in the CLLPR and to bring the clarity required by the NPPF:

- the removal of any reference to the number of houses which will be developed on the site;
- the deletion of criterion h) which is not a land use planning matter;
- the deletion of criterion r) as parking is now addressed in both the CLLPR; and
- the deletion of criterion s) as the provision of electric vehicle charging facilities is now controlled by the Building Regulations

7.40 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the opening part of the policy delete ‘up to 41 dwellings’

Delete h), r) and s)

Policy D1 Design and Character

7.41 This policy replaces D1 of the made Plan.

- 7.42 Paragraph 8.3 of the Plan explains the context to the policy. It advises that the existing comprehensive Character Assessment (See Appendix A) has been updated (where relevant). The Assessment identifies five distinctive character areas within the neighbourhood area. Each of these areas has its own local character, design principles and unique features, views, and vistas. The Plan advises that the Character Assessment is intended to be used as a tool to inform the design of residential proposals for developers, architects, planners, and the local community. It is also intended to ensure that new development is not only of high quality but also appropriate in character to the existing environment and context.
- 7.43 The policy comments about:
- the need for a design-led approach;
 - the importance of understanding the local context as part of the formulation of development proposals; and
 - setting out guidance for the design-led approach.
- 7.44 In the round the policy takes a very positive response to these issues. It is an excellent local iteration of Section 12 of the NPPF. Within this broad context I recommend modifications to the wording used in the policy to bring the clarity required by the NPPF.
- 7.45 WLDC suggests that the policy should make specific reference to the non-designated heritage assets as described in the Character Assessment. This would be a positive approach. However, such a reference is not necessary to ensure that the Plan meets the basic conditions. In any event, the first part of the policy comments generally about the importance of development proposals having regard to the contents of the Character Assessment.
- 7.46 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace ‘will be design-led’ with ‘should be design-led’

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

Policy D2: Renewable Energy and Low Carbon Development

- 7.47 This is a new policy. It seeks to provide a local response to Section 14 of the NPPF.
- 7.48 The policy advises that the design and standard of any new development should aim to meet a high level of sustainable design and construction and be optimised for energy efficiency, targeting zero carbon emissions. It also includes a series of matters which should be considered as part of this process.
- 7.49 Gladman Developments consider that the policy repeats the Building Regulations and is unnecessary. I have considered this matter very carefully. On the balance of the evidence, I am satisfied that the general approach taken in the policy meets the basic conditions and has regard to Section 14 of the NPPF. In addition, the approach taken

is non-prescriptive and does not conflict with the Written Ministerial Statement (Local Energy Efficiency Standards Update) (December 2023). Finally, the second part of the policy has a very specific purpose of supporting proposals which would deliver energy efficiency standards beyond those required in the Building Regulations.

7.50 In this broader context, I recommend the following modifications to the policy to bring the clarity required by the NPPF and to allow WLDC to be able to apply its contents in a consistent way:

- the introduction of a proportionate element into the policy. As submitted, the policy would bluntly apply to all developments in the parish, the majority of which may not directly trigger an application of the policy;
- the replacement of criterion e) with an approach which acknowledges that the use of solar panel may not always be practicable; and
- the use of language more appropriate to a neighbourhood plan.

7.51 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace ‘The design and standard of any new development’ with ‘As appropriate to their scale, nature and location, the design and standard of new development’

Replace e) with: ‘Where practicable, new development should incorporate on-site energy generation from renewable sources such as solar panels.’

In f) replace ‘is encouraged’ with ‘will be supported’

In g) replace ‘must’ with ‘should’

Policy T1: Parking Standards

7.52 This Plan advises that this policy is unchanged. Whilst this is largely the case, the detailed wording is not identical to that in the made Plan. Nevertheless, its purpose and thrust remains. The review of the Plan no longer includes the commentary in the made Plan about accessible communal car parking areas (of an equivalent provision to the standards set out in the policy) would be considered as an acceptable alternative in appropriate locations.

7.53 WLDC, Lincolnshire County Council and Fytche Taylor Planning and Design comment about the higher standards in the submitted policy than those in Appendix 2 of the adopted CLLPR. The submitted Plan justifies the proposed approach in the following way:

‘Many residents have continued to express concern about the number and type of vehicles that pass through the village on a daily basis, particularly in relation to recent developments. There is also ongoing concern about congestion around the school at peak times and the problems caused by inadequate off-street parking..... It is essential that any new development provides adequate off-street parking for residents in order to reduce congestion caused by on-street parking which also clutters the street scene and can limit accessibility for cyclists and pedestrians.’

7.54 I have considered this matter very carefully. In addition, I saw some of the elements of parking and congestion concern expressed in the Plan during the visit. Nevertheless, I recommend that the policy is deleted for three related reasons:

- the adopted CLLPR is an up-to-date local plan and Appendix 2 indicates that the parking standards will apply throughout the Central Lincolnshire area;
- the approach taken is heavily influenced by the concerns of residents rather than detailed evidence about the impact and potential harm arising from the current levels of traffic in the village; and
- matters such as congestion around the school at peak times are long-standing and are unlikely to be addressed or remedied by imposing higher parking standards on new homes than those included in the CLLPR.

7.55 However I recognise the importance of this matter to SPC and local people. As such, I recommend that a modified version of the supporting text remains in the Plan and highlights the importance of development proposals meeting the parking standards in the CLLPR.

Delete the policy

Replace paragraph 9.4 with: ‘In this context, it is important that development proposals meet the parking standards in Appendix 2 of the Central Lincolnshire Local Plan Review. The Parish Council will monitor this matter closely and will seek to ensure that the District Council ensures that those parking standards are applied rigorously.’

Policy T2: Pedestrian and Cycle Routes

7.56 This Plan advises that this policy is unchanged. Whilst this is largely the case, the detailed wording is not identical to that in the made Plan. Nevertheless, its purpose and thrust remain.

7.57 I am satisfied that the policy continues to meet the basic conditions. In reaching this conclusion I have taken account of the comments of WLDC and Gladman Developments Limited.

Policy B1: Working from home

7.58 This policy replaces Policy B1 of the made Plan. It sets out detailed guidance for working from home. It acknowledges that not all such proposals will need planning permission.

7.59 I recommend modifications to the wording used in the policy to bring the clarity required by the NPPF and to allow WLDC to be able to apply its provision in a clear fashion. I have concluded that the use of the word ‘only’ is unnecessary given the safeguards in the criteria. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Delete ‘only’

In a) replace ‘unreasonable’ with ‘unacceptable’

In b) replace ‘negative’ with ‘unacceptable’

In c) replace ‘negative’ with ‘unacceptable’

Policy E1: Local Green Space

- 7.60 This policy proposes minor revisions to the description of the local green spaces (LGSs). It also proposes a reduction in the extent of LGS1 (the Village Hall and the Playing Fields).
- 7.61 I am satisfied that the policy continues to meet the basic conditions in general (and paragraphs 105 to 107 of the December 2023 version of the NPPF which address the designation of LGSs). I am satisfied that the revision to the extent of LGS1 is appropriate. As the Plan comments, this approach reflects proposed enhancements to the village hall. The revised area removes the village hall buildings and play equipment from the existing designation. The playing fields and green space to the north remain as LGS.
- 7.62 I recommend that the second part of the policy is modified so that it uses more matter-of-fact language which reflects paragraph 107 of the NPPF and court decisions elsewhere in England on the application of LGS policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the second part of the policy with: ‘Development proposals for local green spaces will only be supported in very special circumstances.’

Policy E2: Biodiversity

- 7.63 This policy is proposed to be revised to have regard to existing and evolving national guidance on this matter. It includes a requirement for development proposals to deliver at least a 10% net gain in biodiversity to the requirements identified within the CLLPR and/or national guidance.
- 7.64 Paragraph 11.7 helps to set the local context. It advises that the trees, hedgerows, and roadside verges in the parish make an important contribution to the landscape character and local biodiversity of the village. It also advises that these areas are also important for biodiversity with the short length of roadside verge along Langworth Road identified by the Lincolnshire Wildlife Trust’s Life on the Verge Project as being richer than most. Finally, it comments that sensitive management of all the roadside verges would enhance their value for wildlife and their appearance.
- 7.65 WLDC suggests that the policy should describe more fully the biodiversity in the parish. This would be a positive way forward. However, it is not necessary to ensure that the Plan meets the basic conditions. In any event, paragraph 11.7 comments generally about the significance of biodiversity in the parish.
- 7.66 I recommend modifications to the wording used in the policy to bring the clarity required by the NPPF. In specific terms I recommend that the policy takes a proportionate approach which will ensure that it can be applied in a reasonable way to minor and domestic proposals. Otherwise, the policy meets the basic conditions. It will contribute

to the delivery of the social and the environmental dimensions of sustainable development.

Replace ‘All development proposals should’ with ‘As appropriate to their scale, nature and location, development proposals should’

In 1a replace ‘species of principal of importance’ with ‘species of principal importance’

Policy E3: Scothern Beck Green Corridor

- 7.67 This Plan advises that this policy is unchanged. Whilst this is largely the case, the detailed wording is not identical to that in the made Plan. Nevertheless, its purpose and thrust remain.
- 7.68 I am satisfied that the policy continues to meet the basic conditions. In reaching this conclusion I have taken account of the comments of Fytche Taylor Planning and Design. Criterion a) is not intended to be applied in a universal way and the opening element of the policy indicates that the three criteria will be applied where it is appropriate to do so.

Policy C1: Provision of New or Improved Community Facilities

- 7.69 This Plan advises that this policy is unchanged. Whilst this is largely the case, the detailed wording is not identical to that in the made Plan. Nevertheless, its purpose and thrust remain.
- 7.70 I am satisfied that the policy continues to meet the basic conditions. In reaching this conclusion I have taken account of the comments of Lincolnshire County Council.

Community Aspirations

- 7.71 Section 13 addresses a series of Community Aspirations which have arisen as the Plan was developed. They are non-land use matters which cannot directly be addressed as planning policies. In accordance with national advice, they are included in a separate section of the Plan. They are unchanged from the made Plan
- 7.72 I am satisfied that the various Aspirations are both appropriate and distinctive to the parish. In some cases, their implementation will complement some of the land use policies.

Monitoring and Review

- 7.73 Section 15 of the Plan addresses the way in the Plan will be monitored and review. It anticipates a further review will take place five years after the current review of the Plan has been made.
- 7.74 The delivery of the housing allocations will be a key element of the successful implementation of the Plan. In this context I recommend that the Plan highlights that SPC will monitor the delivery of the housing allocations throughout the Plan period.

Add a new paragraph (15.2) as follows:

'The delivery of the housing allocations will be a key element of the successful implementation of the Plan. Whilst progress on delivery is promising at this point, the delivery of the various sites will be closely monitored. Where necessary, corrective action will be taken through a review of the Plan focused on the delivery of housing.'

Other Matters - General

- 7.75 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 because 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 because of the recommended modifications to the policies. It will be appropriate for WLDC and SPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

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

Other Matters - Specific

- 7.76 WLDC has made detailed comments on the Plan. They have been very helpful as part of the wider examination process. Where they relate directly to specific policies, I have considered them in my assessment on a policy-by-policy basis. WLDC has also made a series of more general comments on the wording used in the Plan. They relate to the way in which the Plan period is identified in the Plan and the way in which it refers to the emerging Local Plan. I recommend modifications to address these matters.

Ensure that the end date for the Plan is shown consistently as 2040.

All references to the Central Lincolnshire Local Plan should relate to the Central Lincolnshire Local Plan Review 2023

In paragraph 1.6 replace 'Although...18 years' with 'Nevertheless'

- 7.77 WLDC also raise a series of other matters. Their incorporation into the Plan would extend its coverage and addresses such issues in greater detail and to good effect. Nevertheless, these matters are not necessary to ensure that the Plan meets the basic conditions. Neighbourhood plan legislation has given considerable flexibility to qualifying bodies to include the issues which they see fit to feature in their plans. As such it is beyond my remit to recommend modifications to the Plan so that it is expanded beyond the scope as chosen by SPC.

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 to safeguard the character of the neighbourhood area and to promote sustainable housing development. In the round it is a first-class example of a review of a neighbourhood plan.
- 8.2 Following the independent examination of the Plan, I have concluded that the submitted Scothern Neighbourhood Development Plan Review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 Based on 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 the Scothern Neighbourhood Development Plan Review should proceed to referendum.

Referendum Area

- 8.4 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 originally approved by the District Council on 9 April 2015
- 8.5 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
21 February 2024