

Nettleham Neighbourhood Development Plan Review 2023-2040

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

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Executive Summary

- 1 I was appointed by West Lindsey District Council in February 2024 to carry out the independent examination of the review of the Nettleham Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 26 February 2024.
- 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 allocated sites in the parish in the adopted Central Lincolnshire Local Plan Review. It also proposes the designation of additional Local Green Spaces.
- 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 Nettleham 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
3 May 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the review of the Nettleham Neighbourhood Development Plan Review 2023-2040 (the Plan).
- 1.2 The Plan has been submitted to West Lindsey District Council (WLDC) by Nettleham Parish Council (NPC) 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 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 NPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WLDC and NPC. 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 41 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 Statement of Modifications.
- the WLDC SEA/HRA Screening reports.
- the Nettleham Character Assessment
- the Local Green Spaces justification
- the Ecological Strategy
- the Conservation Area Appraisal
- the representations made to the Plan.
- NPC'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 26 February 2024. 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 Section 5 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 NPC 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 NPC 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.

Other Process Matters

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, NPC has prepared a Consultation Statement. The Statement is proportionate to the neighbourhood area and the review of the 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 Statement also provide details about the consultation processes that took place on the two pre-submission versions of the Plan. The second took place between April and June 2023.
- 4.4 Table 2 of the Statement sets out how the submitted Plan took account of consultation feedback at the second 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

- 4.5 Consultation on the Plan was undertaken by WLDC. This generated representations from the following organisations:
 - West Lindsey District Council
 - Scothern Parish Council
 - Historic England
 - Anglian Water
 - Fytche-Taylor Planning and Design
 - Defence Infrastructure Organisation
 - National Gas Transmission
 - National Highways
 - Lincolnshire County Council
 - Witham and Humber Drainage Board
 - Great Lincolnshire Nature Partnership
 - Canal and River Trust
 - Environment Agency
 - Natural England
 - Greetwell Parish Council
 - The Pickwell Family

- 4.6 I have taken all the comments into account in preparing this report. They have been helpful as part of the wider examination of the Plan. In several cases they highlight the way in which the Plan has been refined to take account of comments made earlier in the plan preparation process.
- 4.7 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 Nettleham. It was designated as a neighbourhood area on 8 January 2013.
- 5.2 The parish is located to the north and east of Lincoln. It has an irregular shape. It consists principally of the village of Nettleham and its wider agricultural hinterland. In 2011 it had a population of 3437 persons living in 1615 households.
- 5.3 The village has a tight and attractive built form. It displays its history and its agricultural background and context in many ways. The Beck runs alongside the road by the Church in the centre of the village. A footpath along the Beck from Watermill Lane to Vicarage Lane provides a pleasant waterside walk. A significant part of the village centre was designated as a Conservation Area 1969. The Conservation Area boundary was reviewed and extended in 1985.

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, Nettleham is identified as one of a series of Larger Villages.
- 5.5 Policy S1 also provides a framework for the development of neighbourhood plan policies in the various settlement categories. It comments that to maintain and enhance their role as large villages which provide housing, employment, retail, and key services and facilities for the local area, the following settlements will be a focus for accommodating an appropriate level of growth via sites allocated in the plan. 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 S80 of the CLLPR allocates a range of sites for housing development in the larger villages. The allocations include the following sites in the neighbourhood area:
- WL/NHAM/010 Land off Larch Avenue;
 - WL/NHAM/011 Land east of Brookfield Avenue;
 - WL/NHAM/018 East of Brookfield Avenue;
 - WL/NHAM/024a Land north of Lechler Close; and
 - WL/NHAM/032 Land at Linelands

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 26 February 2024. I approached it from the A46/A15. 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 recently developed part of the parish off Wolsey Way. I saw its functional relationship with the built-up area of Lincoln to the south. I gave particular attention to the proposed local green spaces in this part of the parish.

5.11 I then looked carefully at the Green Wedge and the proposed Settlement Breaks. This part of the visit highlighted the strong visual separation between Nettleham village and the built-up area of Lincoln to the south.

5.12 I then looked carefully at Nettleham village centre. I saw its range of commercial and community facilities and the range of heritage assets in and around the Conservation Area. I took account of the availability of car parking in this part of the parish. I enjoyed a cup of coffee in the innovative Coffee Roasters/Library facility.

5.13 Whilst I was in the village centre I looked at the proposed residential development at All Saints Lane. I saw its proximity to the village centre.

5.14 I then looked at the various allocated housing sites in the village. This part of the visit was particularly helpful in understanding the approach which NPC had taken to their development and the appropriateness of the various criteria in each of the policies.

5.15 Throughout the visit I sought to understand the way in which the Character Assessment had influenced the revised and new policies in the Plan.

5.16 I left the neighbourhood area by driving along Deepdale Lane 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. It also highlighted the significance of the Lincolnshire Constabulary HQ.

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 Nettleham 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 revisions 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 D6 and D8-11). In the social dimension, it includes policies on local green spaces (Policy E3), and on community facilities (Policy S1). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It includes policies on a Green Wedge (Policy E1), settlement breaks (Policy E2), and design (Policy D4). This assessment overlaps with NPC'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 modifications 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 September 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 NPC 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 the CLLPR. 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.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 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 The Introduction properly identifies the neighbourhood area (Map 1) and the Plan period (in paragraph 1.9). It helpfully sets out the reasons for the review of the Plan. It also sets out key features of the parish and identifies a range of key issues. This is a very impressive section of the Plan and has underpinned several of the policies.
- 7.10 Sections 2 and 3 set 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:

'Nettleham is one of the most attractive villages in Lincolnshire and its residents are proud of its appearance, sense of community and amenities. The village will continue

to support sustainable and appropriate development that blends in with the traditional elements of the village and which can be accommodated within or beside the wider range of housing within the village. Sustainable and appropriate development within the Minster Fields/Roman Gate area, blending in with its character, will also be supported. The community is committed to maintaining the quality of the local environment whilst accommodating appropriate renewable and low-carbon developments in lifestyle and technology, creating opportunities for residents now and in the future whilst protecting the unique atmosphere of Nettleham for posterity.'

- 7.11 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.
- 7.12 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

- 7.13 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. The various changes are captured in the Statement of Modifications. 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 E1 Protecting the Green Wedge

- 7.14 This is a replacement policy. The Plan advises that the policy has been revised so that it better reflects the contents of Policy S63 of the CLLPR.
- 7.15 The Plan helpfully comments about the context to the policy. Paragraph 5.1 advises that to preserve the important areas of countryside that separate Lincoln from its nearby rural communities, the CLLPR designated a set of 'Green Wedges. For Nettleham, an extensive area of farmland between the A15 and Greetwell Lane/ High Street to the South of the village is designated as a Green Wedge. The Plan also advises that NPC considers that this area forms an important green corridor to the north east of Lincoln for the migration of wildlife and insects and connects with other green corridors identified within the Local Plan. The gap between Nettleham and the road network to the immediate north of Lincoln is approximately 0.75 miles (1.2km).
- 7.16 The policy advises that proposals for built development within the identified Green Wedge will be carefully controlled. It comments that development proposals will only be supported where it can be demonstrated that they comply with the criteria in Policy S63 of the CLLPR and, more specifically, how it would retain the separate identity and predominantly rural character of the parish and its relationship with settlements around the neighbourhood area.

- 7.17 The policy takes a positive approach to this matter. It complements the approach taken in the CLLPR. In this broader context I recommend that the policy is modified so that it refers to the relevant maps in the Plan which shown the Green Wedge. Map 2a is referenced in Section 14.1 of the Plan as the wider Green Wedge but is not given a map reference. This will bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace ‘Green Wedge’ with ‘Green Wedge (as shown on Maps 2, 2a and 6)’

Policy E2 Settlement Breaks

- 7.18 This is a new policy. The Plan helpfully sets out the context to the policy as follows:

‘Beyond the village, much of the designated Plan area is open countryside apart from the area of Minster Fields and that part of Roman Gate that lies within the Parish. This aspect of siting within the landscape is a key component of both the character of the Parish and of the quality of life that the residents enjoy. A key concern of the community is the coalescence of existing settlements Nettleham village and Sudbrooke and Nettleham village and North Greetwell, the subsequent loss of green space and the damage this might do to the identity of what are currently two distinct places’ (paragraph 5.4)

‘The policy overlaps with the broader approach for Green Wedges in the District in the Central Lincolnshire Local Plan.’ (paragraph 5.5)

- 7.19 The Plan also advises that:

‘the proposed allocations for development within the village and those in Scothern and to the north of Lincoln have started the erosion of Nettleham’s natural assets and wider green space. Due to the continued pressure for development at Nettleham, Lincoln, North Greetwell and Sudbrooke, it is important to appropriately manage this threat in the future so that existing countryside between the settlements green spaces can be retained through the provision of settlement breaks.’ (paragraph 5.9).

- 7.20 Two settlement breaks are proposed in the policy. They cover land between the A158 and Nettleham. They are located to the east of the Green Wedge. I looked at the two proposed Settlement Breaks during the visit.

- 7.21 The policy has generated an objection from Fytche-Taylor Planning and Design. It comments about the evidence used for its preparation and the need for such an approach given the nature of the policies in the CLLPR.

- 7.22 I have considered these issues very carefully. On the balance of the evidence, I recommend that the policy is deleted. I have reached this conclusion for the following related reasons:

- the Plan does not include any detailed justification for the concept of Settlement Breaks;
- the proposed Settlement Breaks are strategic in their scale; and

- the proposed policy approach is largely identical to that for the Green Wedge which is itself a strategic policy.

7.23 In coming to this judgement, I have taken account of NPC's responses to the clarification note. I have also considered the other neighbourhood plans which have included similar designations. On the latter point, the scale of the proposed Settlement Breaks in the submitted Plan and the context provided by the local plans in the other examples raised do not allow a direct comparison to be made.

Delete the policy

Delete paragraphs 5.4 to 5.9

Delete the Settlement Breaks from Map 2 and retitle 'Map 2: Green Wedge'

Policy E3 Local Green Spaces

- 7.24 This is an updated version of Policy E2 of the 'made' Plan. It addresses the designation of local green spaces (LGSs). It is underpinned by the submitted LGS Assessment.
- 7.25 The policy proposes the designation of additional LGSs. Proposed LGSs15-21 are in the recently-developed residential area off Wolsey Way to the south of the A15.
- 7.26 I am satisfied that the LGSs included in the made Plan continue to meet the criteria for such designations in the NPPF.
- 7.27 I looked carefully at the proposed new LGSs during the visit. In most cases the justification for their designation was self-evident and accords with the criteria in paragraphs 105 and 106 of the NPPF. Nevertheless, I recommend the deletion of proposed LGS 18 (Wolsey Way Link) and LGS19 (Sanderson Road). They are incidental green spaces alongside a footpath in the new residential development off Wolsey Way. I am not satisfied that they are demonstrably special to the local community and hold a particular local significance (as required by paragraph 106 (b) of the NPPF).
- 7.28 I recommend that the second element of the policy is modified so that it follows the matter-of-fact approach in paragraph 107 of the NPPF. This approach is now the industry-standard for this matter and reflects the outcome of court cases since the Plan was made.
- 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.

Delete proposed LGS 18 and 19

Replace the second part of the policy with: 'Development proposals within the designated local green spaces will only be supported in very special circumstances.'

Policy E4 The Historic Environment

- 7.30 This is a replacement policy. It reflects recent changes in national policy (and as now captured in Section 16 of the NPPF).
- 7.31 In general terms the policy takes a positive approach to this matter. I saw first-hand the importance of the built heritage of the parish during the visit.
- 7.32 I recommend a modification to the second part of the policy to remove the unnecessary reference to the Conservation Area. I also recommend that the details about the content of Heritage Impact Assessments is repositioned into the supporting text. This acknowledges that it explains how the policy will be applied rather than operating as a specific land use 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 which would directly affect a heritage asset or its setting should be accompanied with a Heritage Impact Assessment.’

Reposition the final element of the policy to the end of paragraph 5.14 immediately after the following initial sentence: ‘The second part of Policy E4 comments about the need for Heritage Impact Assessments.’

Policy E5 Major and Minor Green Corridors

- 7.33 This is a new policy. Green Corridors are intended to provide a focal point for local conservation effort, to increase landscape permeability for wildlife, and to help people access the countryside and experience wildlife first-hand.
- 7.34 The policy identifies Major and Minor Green Corridors based on their strong contribution to the character of Nettleham and importance to the movement of local wildlife and people. The policy comments that the function, setting, and biodiversity, landscape, access, and recreational value of the Green Corridors will be protected and enhanced. The policy also advises that proposals wholly or partly within the recommended minimum buffer zone of a major Green Corridor (30m width), or a minor Green Corridor (15m width) should be supported by an Ecological Impact Assessment.
- 7.35 The Plan includes detailed maps of the proposed Green Corridors. The Corridors are also referenced in the submitted Ecology Strategy (Appendix C)
- 7.36 The policy has attracted representations from WLDC and Fytche-Taylor Planning and Design. The latter comments about the justification for the policy and the extent to which its applicability to all proposals is reasonable.
- 7.37 I have reflected on these comments and NPC’s response to the clarification note. On the balance of the evidence, I am satisfied that the policy has been justified in an appropriate fashion. However, I recommend the following package of modifications to bring the clarity required by the NPPF and to ensure that WLDC will be able to apply its provisions in a proportionate way through the development management process:

- the recasting of the first part of the policy so that it would apply in a proportionate way, and where it is practicable to do so;
- the inclusion of the same proportionate element into the second part of the policy and the need for an Ecological Impact Assessment; and
- a remodelling of the fourth part of the policy.

- 7.38 I also recommend that the supporting text is expanded to comment on the applicability of the second part of the policy. I also correct errors in the existing supporting text.
- 7.39 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 first part of the policy with:

‘The Plan identifies major and minor Green Corridors on Map 5 (and Maps 5a to 5e) for their strong contribution to the character of Nettleham and importance to the movement of local wildlife and people. Wherever practicable, development proposals should protect the function, setting, and biodiversity, landscape, access, and recreational value of the Green Corridors.’

Replace the second part of the policy with:

‘As appropriate to their scale, nature, and location, development proposals within or partly within the buffer zone of a major Green Corridor (30m width), or a minor Green Corridor (15m width) should be supported by an Ecological Impact Assessment. The Assessment should demonstrate how the design and layout of the scheme will respond positively to its location and protect wildlife, recreation, or green open spaces in the Corridor.’

Replace the fourth part of the policy with:

‘Proposals for the creation of new Green Corridors will be supported. Where practicable, they should be designed and arranged to connect spaces and support local wildlife and biodiversity.’

In paragraphs 5.23 and 5.24 replace ‘Policy E4’ with ‘Policy E5’

At the end of paragraph 5.24 add: ‘The second part of the policy is worded so that it can be applied by the District Council in a proportionate way.’

Policy D1: Parking Standards for New Residential Development

- 7.40 This policy replaces Policy D3 of the made Plan. Its focus is the delivery of a higher set of parking standards than those in the CLLPR. It also includes additional criteria to those which were in the made Plan.
- 7.41 The Plan sets out the context to the policy. It advises that the centre of the village is heavily congested with parked cars and the whole Parish has been affected by the expansion of existing residential dwellings where additional bedroom provision has also seen an increase in car parking. It also advises that it is important that the extension of existing dwellings also provides additional parking provision on site where

additional bedrooms are provided. It concludes that this will help reduce the need to park on the street and cater for the additional need for a car space on site.

- 7.42 I have taken account of NPC's comments about parking issues in the village centre in its response to the clarification note I saw first-hand the nature of parking issues in the village centre during the visit. Nevertheless, such issues relate to the concentration of commercial and community uses in the Village Centre. In addition, they are existing issues which will not be directly resolved by the implementation of the policy.
- 7.43 On the balance of the evidence I am not satisfied that NDC has assembled appropriate evidence to justify the need for car parking standards at a higher level than those in the CLLPR. In this context I recommend that the second part of the policy is recast so that it requires the delivery of CLLPR car parking standards.
- 7.44 The third part of the policy comments about lower parking standards for older persons/assisted care accommodation. This would be appropriate. Nevertheless, I recommend a modification to its wording to bring the clarity required by the NPPF and to introduce appropriate environmental safeguards.
- 7.45 Finally, I recommend the deletion of the fourth part of the policy (which advises that garages are not considered as a parking space) for a series of related reasons. The first is that it is a statement rather than a policy. The second is that there is no evidence to support the approach taken. The third is that, whilst it is increasingly uncommon, some people do park their cars in garages, especially in the Winter.
- 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.

Replace the second part of the policy with: 'Development proposals should provide off-street parking to the standards as set out in Policy S49 and Appendix 2 of the Central Lincolnshire Local Plan.'

Replace the third part of the policy with: 'The provision of lower levels of residential parking for older person's accommodation or assisted care facility will be supported where it can be demonstrated that the development concerned has lower parking needs, and that the those needs can be accommodated within the curtilage of the site concerned.'

Delete the fourth part of the policy.

Policy D2: Parking Standards for additional Bedrooms to Existing Dwellings

- 7.47 This is a new policy. The context to the policy overlaps with that for Policy D1.
- 7.48 The policy comments that where planning permission is required, additional bedroom(s) created through the alteration of an existing residential property shall provide sufficient parking space(s) for every new bedroom in line with the standards identified within policy D1. It also advises that any parking space(s) should be provided within the existing curtilage of the property.

- 7.49 The policy has attracted a series of overlapping representations from WLDC, the County Council, and the development industry. In summary, they advise that the policy will be difficult to apply and that there will not always be a direct relationship between an extension to a dwelling and the number of parking spaces that would be needed.
- 7.50 I have considered these various issues very carefully alongside NPC's response to the clarification note. On the balance of the evidence, I recommend that the policy is deleted. As the representations comment, the direct relationship between the size of a home and the number of parking spaces as anticipated by the policy is unrealistic. In addition, the broader issues as described in paragraph 7.42 of this report also apply to this policy.

Delete the policy

Delete paragraphs 6.8 and 6.9 (and the associated heading).

Policy D3: Water Resources, Quality and Flood Risk

- 7.51 This policy is a revised version of Policy D4 in the 'made' Plan. It seeks to respond to the contents of the NPPF which has been updated since the Plan was made.
- 7.52 Paragraph 6.10 of the Plan explains the context to the policy. It advises that the flood risk implications of new developments around the village are of great concern, especially following the 2007 flood which had a major impact on homes and businesses in the Conservation Area of the village. It goes on to comment that to minimise the risk of the effects of flooding, especially flash flooding, on the centre of the village it is considered essential that no new homes should be built on land within the identified high-risk flood zones of the Nettleham Beck. Finally, it advises that other areas of the parish are temporarily affected by surface water flooding in periods of prolong and substantial rainfall.
- 7.53 The policy takes a very positive approach to these issues. It is supported by the Environment Agency.
- 7.54 I recommend a modification to the wording used in the first part of the policy to bring the clarity required by the NPPF and to allow WLDC to be able to apply it through the development management process. 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 first sentence of the first part of the policy with:

'As appropriate to their scale, nature and location, development proposals should consider and, where necessary, address the effect of the proposed development on flood risk, both on-site and off-site.'

Policy D4 Design of New Development and Parish Design Code Principles

- 7.55 This is a new policy. Whilst it builds on the content of Policy D6 of the made Plan, it reflects the findings of the Character Assessment and the approach to design that is now included in the NPPF.

- 7.56 The policy comments that new development will be design-led and comprise of development and spaces that are high quality and distinctive to the Parish. It also comments that to ensure that growth is delivered in a coherent and coordinated way, development should positively address the relevant principles in the Nettleham Character Assessment and Design Code principles for each of the identified character areas. It also sets out a series of principles to underpin the design-led approach.
- 7.57 In the round, the policy is an excellent local response to Section 12 of the NPPF. The Character Assessment underpins the approach taken. The issues addressed in the second part of the policy are both appropriate and locally-distinctive.
- 7.58 I recommend modifications to the first part of the policy and to the opening element of the second part of the policy. In both cases they bring the clarity required by the NPPF. In the case of the second part the modification will introduce a proportionate element into the wording used. This acknowledges that individual proposals will have their own impacts on the range of design principles.
- 7.59 The commentary about densities of new housing development not exceeding 20 homes per hectare has generated commentary from the development industry. They highlight that the made Plan addressed the matter in a more general way. I have considered this matter very carefully, including NPC's response to the clarification note. On the balance of the evidence, I recommend that this element is deleted from the policy. It is unnecessarily prescriptive and may prevent otherwise acceptable development from coming forward. WLDC will be able to consider individual proposals on their merits and in accordance with the broader contents of this policy and other development plan policies.
- 7.60 Finally, I recommend that the third part of the policy is recast so that it has the clarity required by the NPPF and can be delivered through the development management process.
- 7.61 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 first part of the policy with:

'Development proposals should be design-led and ensure that built development and associated spaces are high quality and distinctive to the parish. Development proposals should positively address the relevant principles in the Nettleham Character Assessment and Design Code principles for the relevant character area in which they are located.'

Replace the second part of the policy with:

'As appropriate to their scale, nature and location, development proposals should be informed by an understanding of local context and incorporate a design-led approach which includes the following principles:'

In a) delete 'not exceeding 20dph (in Nettleham village) and'

In the third part of the policy replace ‘Development proposals must submit a Design and Access Statement to’ with ‘Design and Access Statements for development proposals should’

Policy D5: Climate Change Mitigation and Adaption

- 7.62 This is a new policy. It comments about climate change mitigation, climate change adaptation, the efficient use of buildings and energy efficiency.
- 7.63 The policy advises that proposals should demonstrate, within their design and access statement, how they will reduce their impact on climate change and how they intend to incorporate small-scale domestic renewable energy or low carbon infrastructure into their proposals. It also advises that development proposals should comply with a series of principles.
- 7.64 In general terms, the policy takes a positive approach to these important matters and has regard to Section 14 of the NPPF. However, to bring the clarity required by the NPPF, I recommend the following package of recommended modifications:
- the introduction of a proportionate element into the first part of the policy;
 - the repositioning of supporting text from the policy;
 - ensuring that proposals for living roofs and walls are appropriately designed and respect the character of their host buildings; and
 - the deletion of the criterion on electric vehicle charging facilities (the matter is now managed through the Building Regulations).
- 7.65 In recommending these modifications I have carefully considered NPC’s responses to the clarification note.
- 7.66 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 opening element of the first part of the policy with:

‘Development proposals should incorporate measures to reduce their impact on climate change including, where practicable, small-scale domestic renewable energy or low carbon infrastructure.

As appropriate to their scale, nature and location development proposals should:’

Delete criterion i)

Replace the second part of the policy with:

‘Proposals which incorporate living roofs and walls will be supported where they are appropriately designed, and respect the character, appearance, and scale of the host building.’

At the end of paragraph 6.39 add:

'Policy D5 sets out detailed guidance for developers on these matters. The way in which development proposals respond to the general principles in that policy should be included in the design and access statements which accompany planning applications. The second part of the policy comments about living roofs and walls. Any such proposals should have regard to the latest industry good practice guidance to help ensure that green roofs and walls are designed to maximise environmental benefits and will function effectively over the lifetime of the development.'

Policy D6 Housing Development within Nettleham

- 7.67 This is a new policy. It sets out an approach towards infill development within the village. It includes a series of criteria. It advises that such proposals should not lead to a 'hard edge' being established on the periphery of the village.
- 7.68 The policy takes a positive approach to this matter. Infill development will complement the development of the Local Plan sites and provide an element of choice and variety for those looking to buy a house in the parish. However, within this broad context I recommend the following package of modifications to bring the clarity required by the NPPF and to ensure that the approach taken has regard to national policy:
- recasting the opening element of the policy so that it removes the unnecessary use of the word 'only' and the reference to the allocated sites;
 - revisions to the wording used in the various criteria so that they naturally follow on from the opening element of the policy and have the clarity required by the NPPF;
 - detailed revisions to the second and third parts of the policy to bring the clarity required by the NPPF, to simplify the approach taken and to ensure an appropriate distinction between the policy and the supporting text.
- 7.69 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

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

'Proposals for new residential development which fill a gap within the existing developed footprint of Nettleham village (as identified on Map 6) will be supported where they meet the following criteria:'

Revise the wording (or the initial wording) in the criteria so that they relate to the opening element of the policy and have the clarity required by the NPPF:

- a) they would deliver up to ten homes on each site**
- b) they have regard...**
- c) they safeguard...**
- d) they would not result in the loss...**

e) and f) they provide...

g) they would have no unacceptable impacts....

Replace the second part of the policy with: ‘Any infill proposals which would have a boundary with the countryside should be designed to ensure that they will not result in a ‘hard edge’ being established on the periphery of the village.’

Replace the third part of the policy with: ‘New residential development outside the existing developed footprint of the village north of the Lincoln bypass will be strictly controlled in accordance with Policies S5 and where appropriate S63 of the adopted Local Plan.’

At the end of paragraph 6.49 add: ‘Policy D7 relates to infill sites within Nettleham. The housing allocations are addressed in separate policies elsewhere in this Plan. The third part of the policy reinforces the need to ensure that residential development in the countryside is strictly controlled. The policy has a focus on Nettleham village. The Lincoln Edge is outside the developed footprint of the village shown in Map 6. In this part of the parish the opportunities for traditional infill development are more limited given the way in which the modern residential scheme has been arranged. Nevertheless, development proposals will be supported where they are in accordance with Central Lincolnshire Local Plan.’

Policy D7: Housing Mix and Affordable or Specialist Housing

7.70 This is a new policy. It seeks to respond to the need for specialist housing types and mix.

7.71 It includes the following elements:

- 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 shall be a mix of 1-, 2- and 3-bedroom affordable dwellings.
- In addition to the affordable housing proportion, the market homes should also provide a mix of smaller 1-, 2- and 3-bedroom dwellings for those people that do not qualify for affordable housing;
- the affordable housing units should be delivered on the application site concerned, unless it can be demonstrated that exceptional circumstances exist to necessitate equivalent provision on another site and/or the making of a payment for other off-site provision;
- the smaller dwellings shall be integrated into the wider design of the site to help promote community cohesion and avoid individual clusters of single housing types or sizes; and
- the provision for local needs accommodation, such as elderly care facilities and self-build will be supported inside the village’s developed footprint. Proposals for local needs accommodation outside the village’s developed footprint will be supported where it can be demonstrated that there are no suitable locations inside the village’s developed footprint.

- 7.72 Fytche-Taylor Planning and Design comment that the element of the policy on affordable housing is very prescriptive and may fail to take account of the needs of larger families. It also draws attention to the need for WLDC to determine housing proposals based on housing needs at that time. These are important points and I recommend that they are addressed as modifications in the policy and the supporting text respectively. In doing so, I recommend that the first part of the policy is recast so that it has the clarity required by the NPPF.
- 7.73 WLDC suggests that the policy could be expanded to include other related elements. Whilst such additions would broaden the remit of the policy, they are not needed to ensure that it meets the basic conditions.
- 7.74 I am satisfied that the third and fourth elements of the Plan meet the basic conditions.
- 7.75 I also recommend that the second part of the policy is recast so that it has the clarity required by the NPPF.
- 7.76 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 first part of the policy with: ‘Development proposals for ten or more units (per site) should:

- **incorporate at least 25% of the total number of dwellings as affordable housing, most of which should be a mix of 1-, 2- and 3-bedroom affordable dwellings; and**
- **incorporate a mix of 1-, 2- and 3-bedroom dwellings within the private housing element of the site.’**

Replace the second part of the policy with: ‘The affordable housing units should be delivered on the site concerned, unless it can be demonstrated that exceptional circumstances exist to justify an equivalent provision on another site and/or contributing to another form of off-site provision.’

At the end of paragraph 6.64 add: ‘The first element of Policy D7 comments about the delivery of affordable housing. The focus should be on the delivery of smaller affordable homes. However, the policy acknowledges that there may be a need for the delivery of larger affordable homes to address specific housing needs. The District Council will take account of housing needs in the parish at the time that it determines individual planning applications.’

Policy D8: Land North of Lechler Close (Site 24) – Design Code and Development Principles

- 7.77 This is a new policy. It sets out detailed principles for the development of the site which is allocated for housing development in the adopted CLLPR.
- 7.78 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 the location of the site in the parish and its immediate locality. 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:

- a refinement of the reference to the number of houses which will be developed on the site so that it will accord with the approach taken in the CLLPR;
- refinements to the opening elements of the policy so that they will have the clarity required by the NPPF and can be implemented by WLDC through the development management process;
- a replacement of criterion l) so that it is consistent with Policy D1 of the Plan;
- the deletion of criteria m) and w) which are now managed through the Building Regulations;
- the deletion of criterion n) as the ability of the site to be accommodated safely in the local highway network has already been addressed in the CLLPR;
- the removal of the reference to NPC in criterion q). The delivery of open space is a land use issue. The maintenance and management of the delivered space is not directly a land use matter. It is one for local judgement; and
- a refinement of the second part of the policy to explain the purpose of a master plan and to provide the clarity required by the NPPF.

7.79 I also recommend that the reference to the site in the title of the policy is modified so that it corresponds with the numbering system used in the CLLPR. This will ensure that the two plans take a consistent approach on this matter. Plainly it will bring the clarity required by the NPPF.

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

Replace ‘up to’ with ‘approximately’

Replace the second sentence of the policy and ‘Development shall’ with:

‘The development of this site should be of the highest quality design and demonstrate how it complies with the following Design Code:’

In f) replace ‘Be designed’ with ‘be designed’

Replace l) with ‘provide off-street parking spaces in accordance with Policy D1 of this Plan;’

Delete m) and n)

In q) delete ‘than can.... Parish Council’

Delete w)

Replace the second part of the policy with: ‘Proposals for the development of the site should be accompanied by a masterplan which will identify how the design and layout of the site responds to the principles in the Design Code and any phasing mechanisms.’

In the title of the policy replace the numbering used with the site's reference in the CLLPR

Policy D9: Land behind Brookfield Avenue (Site 11) – Design Code and Development Principles

- 7.81 This is a new policy. It sets out detailed principles for the development of the site which is allocated for housing development in the adopted Local Plan.
- 7.82 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 the location of the site in the parish and its immediate locality.
- 7.83 The Pickwell Family comments on the access requirements which are included in the criteria. They address pedestrian (criterion r) and vehicular (criterion t) access. The representation advises that the policy requirements go beyond the requirements of Policy S80 of the CLLPR and are undeliverable as they require access across third party land. The representation also advises that development has started on the housing allocation to the south of the site (NHAM/018) and that there are no legal or ownership constraints to the provision of vehicular, cycle and pedestrian access between the two sites.
- 7.84 I have considered this matter very carefully including NPC's responses to the clarification note. On the one hand, I understand NPC's ambition to allow a more direct access into this site and enhanced connections with the village centre. On the other hand, a planning policy must be deliverable and, in this case, it is beyond the developer's ability to do so. In all the circumstances, I recommend the deletion of the two criteria. NPC's suggested revision to the criterion on vehicular access is well-intentioned. However, it would not resolve the matter.
- 7.85 The Pickwell Family also comment about criterion u) on the incorporation of street trees (one tree for every two houses). It suggests that the requirements prescriptive and is already addressed in Policy D4. On the balance of the evidence, I am satisfied that the criterion is appropriate. The requirement for street trees will help to produce an attractive green environment on this (and other) new development. I am also satisfied that the specific requirements are reasonable.
- 7.86 In the wider context of the overall policy, 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:
- refinement of the reference to the number of houses which will be developed on the site so that it will accord with the approach taken in the CLLPR;
 - refinements to the opening elements of the policy so that they will have the clarity required by the NPPF and can be implemented by WLDC through the development management process;
 - a replacement of criterion j) so that it is consistent with Policy D1 of the Plan;
 - the deletion of criteria k) and v) which are now managed through the Building Regulations;

- the deletion of criterion l) as the ability of the site to be accommodated safely in the local highway network has already been addressed in the CLLPR;
- the removal of the reference to NPC in criterion p). The delivery of open space is a land use issue. The maintenance and management of the delivered space is not directly a land use matter. It is one for local judgement; and
- a refinement of the second part of the policy to explain the purpose of a master plan and to provide the clarity required by the NPPF.

7.87 I also recommend that the reference to the site in the title of the policy is modified so that it corresponds with the numbering system used in the CLLPR. This will ensure that the two plans take a consistent approach on this matter. Plainly it will bring the clarity required by the NPPF.

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

Replace ‘up to’ with ‘approximately’

Replace the second sentence of the policy and ‘Development shall’ with:

‘The development of this site should be of the highest quality design and demonstrate how it complies with the following Design Code:’

In d) replace ‘Be designed’ with ‘be designed’

Replace j) with ‘provide off-street parking spaces in accordance with Policy D1 of this Plan;’

Delete k) and v)

In p) delete ‘than can.... Parish Council’

Delete l)

Delete r) and t)

Replace the second part of the policy with: ‘Proposals for the development of the site should be accompanied by a masterplan which will identify how the design and layout of the site responds to the principles in the Design Code and any phasing mechanisms.’

In the title of the policy replace the numbering used with the site’s reference in the CLLPR

Policy D10 Land at Sudbrooke Lane (Site 10) – Design Code and Development Principles

7.89 This is a new policy. It sets out detailed principles for the development of the site which is allocated for housing development in the adopted Local Plan.

7.90 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 the

location of the site in the parish and its immediate locality. 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:

- refinement of the reference to the number of houses which will be developed on the site so that it will accord with the approach taken in the CLLPR;
- refinements to the opening elements of the policy so that they will have the clarity required by the NPPF and can be implemented by WLDC through the development management process
- a replacement of criterion i) so that it is consistent with Policy D1 of the Plan;
- the deletion of criteria j) and s) which are now managed through the Building Regulations;
- the deletion of criterion k) as the ability of the site to be accommodated safely in the local highway network has already been addressed in the CLLPR; and
- the removal of the reference to NPC in criterion m). The delivery of open space is a land use issue. The maintenance and management of the delivered space is not directly a land use matter. It is one for local judgement.
- a refinement of the second part of the policy to explain the purpose of a master plan and to provide the clarity required by the NPPF.

- 7.91 I also recommend that the reference to the site in the title of the policy is modified so that it corresponds with the numbering system used in the CLLPR. This will ensure that the two plans take a consistent approach on this matter. Plainly it will bring the clarity required by the NPPF.
- 7.92 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace ‘up to’ with ‘approximately’

Replace the second sentence of the policy and ‘Development shall’ with:

‘The development of this site should be of the highest quality design and demonstrate how it complies with the following Design Code:’

Replace i) with ‘provide off-street parking spaces in accordance with Policy D1 of this Plan;’

Delete j) and s)

In m) delete ‘than can.... Parish Council’

Delete k)

Replace the second part of the policy with: ‘Proposals for the development of the site should be accompanied by a masterplan which will identify how the design and layout of the site responds to the principles in the Design Code and any phasing mechanisms.’

In the title of the policy replace the numbering used with the site's reference in the CLLPR

Policy D11 Land at Linelands, All Saints Lane – Design Code and Development Principles

- 7.93 This is a new policy. It sets out detailed principles for the development of the site which is allocated for housing development in the adopted Local Plan.
- 7.94 This site is different in character to the other allocated sites. It is an existing developed site within the village centre. It adjoins an existing residential development on North Street and Chapel Lane and is located next to Nettleham Infant School. In addition, the site is also adjacent to the Senior Citizens accommodation at Church View and opposite purpose-built bungalows for older persons. It is in walking distance of the range of commercial and community facilities in the village centre. The site provides a good opportunity to develop accommodation for persons more than 55 years old. Criterion a) of the policy indicates that this should be the outcome of the redevelopment of the site.
- 7.95 In general terms the policy takes a positive approach to the development of this site. It reflects the location of the site in the parish and its immediate locality. In this wider context I recommend the following modifications to ensure that the policy has the clarity required by the NPPF:
- refinements to the opening elements of the policy so that they will have the clarity required by the NPPF and can be implemented by WLDC through the development management process;
 - a replacement of criterion f) so that it is consistent with Policy D1 of the Plan; and
 - the deletion of criteria h) and n) which are now managed through the Building Regulations.
- 7.96 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development. It will provide a valuable opportunity to deliver homes for older people and meet a range of social needs in the parish.

Replace 'up to' with 'approximately'

Replace the second sentence of the policy and 'Development shall' with:

'The development of this site should be of the highest quality design and demonstrate how it complies with the following Design Code:'

Replace f) with 'provide off-street parking spaces in accordance with Policy D1 of this Plan;'

Delete h) and n)

Policy S1: Local Community Facilities

- 7.97 This is a new policy. It celebrates the importance of community facilities in the parish. I saw their significance during the visit.
- 7.98 The policy identifies seventeen community facilities to be safeguarded within the Plan period. It sets out the limited circumstances where proposals which would result in the redevelopment or change of use of the identified facilities would be supported.
- 7.99 The policy also advises that proposals for a new community facility (Use Class F) will only be supported if it located within the developed footprint of Nettleham, unless there is a locally demonstrated need for the residents of the parish.
- 7.100 In the round, I am satisfied that the policy is appropriate and has regard to Section 8 of the NPPF. The community facilities have been carefully chosen and the policy correctly identifies that the use and/or viability of the community facilities may alter during the Plan period.
- 7.101 I recommend that the second part of the policy (on potential new community facilities) is modified so that it takes a more positive approach. I also recommend that the element about new community facilities outside the developed footprint is deleted. In any event the matter is already very comprehensively addressed in the supporting text. I also recommend that the facilities are shown on a map. This will be consistent with the detail elsewhere in the Plan and will bring the clarity required by the NPPF.
- 7.102 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: ‘Proposals for new community facilities (Use Class F) within the developed footprint of Nettleham will be supported.’

Monitoring and Review

- 7.103 Section 10 of the Plan addresses the way in the Plan will be monitored and reviewed.
- 7.104 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 NPC will monitor the delivery of the housing allocations throughout the Plan period.

Add a new paragraph (10.2) 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

- 7.105 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 and maps may be required elsewhere in the Plan because of the recommended modifications to the policies. It will be appropriate for WLDC and NPC 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

- 7.106 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.
- 7.107 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 within 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 NPC.

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 very good example of a review of a neighbourhood plan.
- 8.2 Following the independent examination of the Plan, I have concluded that the submitted Nettleham 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 Nettleham 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 8 January 2013.
- 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
3 May 2024