

# **Sturton by Stow and Stow Neighbourhood Development Plan 2019-2036**

**A report to West Lindsey District Council on the  
Sturton by Stow and Stow Neighbourhood  
Development Plan**

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## **Executive Summary**

- 1 I was appointed by West Lindsey District Council in December 2021 to carry out the independent examination of the Sturton by Stow and Stow Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 28 January 2022.
- 3 The Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It proposes an Area of Separation between the two villages and the designation of a package of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. The community has been engaged in its preparation in a proportionate way.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Sturton by Stow and Stow Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**25 March 2022**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Sturton by Stow and Stow Neighbourhood Development Plan 2019-2036 ('the Plan').
- 1.2 The Plan has been submitted to West Lindsey District Council (WLDC) by Sturton by Stow Parish Council (SSPC) and Stow Parish Council (SPC) in their capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It addresses a range of housing, environmental and community issues and proposes a package of local green spaces.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by WLDC, with the consent of SSPC and SPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WLDC and SSPC 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 over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

### *Other examination matters*

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

### 3 Procedural Matters

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

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the SEA/HRA screening report.
- the Local Green Space Assessment.
- the Neighbourhood Profile.
- the Heritage Assets.
- the Protected Views Assessment.
- the representations made to the Plan.
- the Parish Councils' responses to the Clarification Note.
- the Parish Councils' responses to the representations received.
- the Central Lincolnshire Local Plan 2012 to 2036.
- the Central Lincolnshire Local Plan Review Consultation Draft June 2021.
- the National Planning Policy Framework 2021.
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 28 January 2022. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood development plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I reached this decision once I had received the responses to the clarification note.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 SSPC/SPC prepared a Consultation Statement. It provides specific details on the consultation process that took place on the pre-submission version of the Plan from November to December 2020.
- 4.3 The Statement also sets out details of the consultation events that were carried out in relation to the initial stages of the Plan. Details are provided about the engagement with the statutory bodies and the public consultation events in the area. Specific events highlighted include:
- the community questionnaires (January to March 2019);
  - the preparation of the Neighbourhood Profile (Summer 2019); and
  - the use of publicity stands and newsletter articles.
- 4.4 Appendices A, B and C of the Statement set out details of the responses received on the pre-submission version of the Plan. In turn they also set out how the Plan responded to those representations. The exercise has been undertaken in a very thorough and proportionate fashion.
- 4.5 The Statement also includes other appendices and figures. In several cases, they reproduce earlier publicity material and summarise the results/feedback of those activities. This provides a degree of interest and distinctive flavour to the Statement.
- 4.6 From all the evidence provided to me as part of the examination, I have concluded that the Plan has sought to develop an inclusive approach to seeking the opinions of all concerned throughout the process. WLDC has carried out its own assessment of this matter as part of the submission process and has concluded the consultation process has complied with the requirements of the Regulations.

### *Representations Received*

- 4.7 Consultation on the submitted plan was undertaken by the District Council. It ended on 22 October 2021. This exercise generated comments from a range of statutory and local organisations. They are listed below:
- Witham Drainage Board
  - Anglian Water
  - Canal and River Trust
  - Exolum Pipeline Systems Limited

- Island Green Power
- Limestone Farming Company Limited
- Marine Management Organisation
- Saxilby with Ingleby Parish Council
- Shire Group of Internal Drainage Boards
- Sport England
- Sturton by Stow and Stow Parish Councils
- Historic England
- Environment Agency
- Defence Industry Organisation
- North Kesteven District Council
- Health and Safety Executive
- Natural England
- Severn Trent Water
- NHS Lincolnshire Clinical Commissioning Group
- West Lindsey District Council
- Forestry Commission

- 4.8 In most cases the various bodies raise no comments or objections to the submitted Plan. This reflects the collaborative way in which the Plan has been produced in general, and the positive way in which it had incorporated earlier comments from these and other bodies in particular. This approach is a major achievement. It reflects the way in which the Plan has been prepared and how SSPC/SPC has managed the wider process.
- 4.9 Since the consultation process finished SSPC/SPC has agreed to amend the Plan to take account of the detailed matter raised in the representation from the Limestone Farming Company Limited.
- 4.10 I have taken account of all these representations as part of the examination of the Plan. Where it is appropriate and relevant to do so I refer specifically to the representation concerned in this report.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parishes of Sturton by Stow and Stow. It was designated as a neighbourhood area on 20 June 2018. In 2011 it had a population of 1734 persons living in 770 households.
- 5.2 The neighbourhood area sits in open countryside approximately 10 miles to the north and west of Lincoln and nine miles to the south and east of Gainsborough. It is irregular in shape. The A1500 runs through the neighbourhood area from the north-west to the south-east and forms the principal road through Sturton by Stow. Sturton by Stow is a nucleated village based around a historic crossroads. It has traditional village amenities including shops and a school. Stow lies around a mile to the north of Sturton by Stow. It is dominated by the hugely-impressive and historically important St Mary's Church. The neighbourhood area also includes the smaller settlements of Bransby, Coates and Normanby by Stow.
- 5.3 The two villages are heavily-influenced by their location in its wider natural landscape. The neighbourhood area has a strong agricultural heritage which provides an attractive setting for the two communities. Certain parcels of land have retained their former tree cover. In some cases, these areas are proposed as local green spaces in the Plan.

### *Development Plan Context*

- 5.4 The Central Lincolnshire Local Plan (CLLP) was adopted in April 2017. It sets out the basis for future development in the Central Lincolnshire area up to 2036. The CLLP provides a very clear spatial context for development in the Plan area. Policy LP2 provides a focus for development by way of a settlement hierarchy as follows: the Lincoln urban area, the main towns, the market towns, larger villages, medium villages, smaller villages, hamlets and the countryside. Within this hierarchical approach Sturton by Stow is identified as a 'Medium Village' and Stow is identified as a 'Small Village'.
- 5.5 Policy LP2 also provides a framework for the development of neighbourhood plan policies in the various settlement categories. Policy LP4 provides further details for the type of development proposed in the various villages and sets a growth requirement for Sturton by Stow.
- 5.6 The CLLP includes a wide range of other policies. The Basic Conditions Statement helpfully captures these against the various policies in the submitted Plan. In summary, the following other CLLP policies have been particularly important in underpinning neighbourhood plan policies:

- LP15 Community Facilities
- LP23 Local Green Space and other Important Open Space
- LP25 The Historic Environment
- LP26 Design and Amenity

## LP55 Development in the Countryside

- 5.7 A review of the CLLP has now started. Consultation took place on a draft plan between June and August 2021. Given the stage which the CLLP review has reached it has a limited influence on this examination. Nevertheless, I have referred to the Plan review process later in this report insofar as it has a bearing on the monitoring and review of any ‘made’ neighbourhood plan.
- 5.8 It is clear that the submitted Plan has been prepared within the context provided by the adopted Local Plan. In doing so it has relied on up-to-date information and research that has underpinned the Local Plan. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

### *Unaccompanied Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 28 January 2022.
- 5.10 I drove into the neighbourhood area from the A57 at Saxilby. This approach highlighted its relationship to the strategic road network. It also highlighted the very distinctive rural setting and context of the two parishes.
- 5.11 I looked initially at Stow. Like most of the visitors to the village, I started at St Mary’s Church. The exterior of the building simply provided a welcome introduction to the integrity and history of its interior. The combination of the Saxon and the Norman architecture was immediately breath-taking. I took the opportunity to see the early representation of a Viking ship. I also saw that the Church was now hosting a local post office service on Monday, Tuesday and Thursday.
- 5.12 I then walked around the village. I looked at the interesting collection of buildings to the immediate west of Sturton Road including the beautifully-restored Old Police Station and the adjacent former Wesleyan Chapel. I then walked along Ingham Road and saw the attractive thatched cottage at its junction with Sturton Road and the equally attractive cottage with the pantile roof at the junction with School Lane. I continued along School Lane and saw the Old School House. I then enjoyed looking at the variety of building styles along Church Road. I saw the excellent example of late Georgian and mid-Victorian architecture.
- 5.13 I then drove to Sturton by Stow to the south. In doing so I looked at the proposed Area of Separation between the two villages. I saw that it was in agricultural use and had a very open character and appearance. I also saw that the extent that the Area of Separation related to natural and man-made features in this part of the neighbourhood area.
- 5.14 I then parked in Sturton by Stow and took the opportunity to walk around the village. I looked initially at the scale and significance of the school. It was very clear that it was very much at the heart of the community. I then walked down Fleets Lane to the

Recreation Area. I saw its scale and the range of play equipment available. I also saw the new houses being built to the north of Fleet Lane.

- 5.15 I then walked along Tillbridge Road to the eastern edge of the village. I saw its character change from mainly residential uses to commercial uses (including the County Council depot) and then back to residential uses (at the recently-constructed Bransby Fields). I then walked back into the village. I saw the significance of the Co-op store at the cross roads and the interesting information about the way in which it replaced the former Red Lion PH. I saw the General Store on the opposite side of the road from the Co-op store. I saw how more modern uses (such as the Tillbridge Tastery) were providing alternatives to more traditional uses such as the Plough PH.
- 5.16 I left the neighbourhood area by driving along the A1500 to the east. This further reinforced the way in which the parish was well-connected to the strategic road network in general (in this case to the A46) and to the City of Lincoln in particular.

## **6 The Neighbourhood Plan and the Basic Conditions**

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 6.3 I assess the Plan against the basic conditions under the following headings:
- National Planning Policies and Guidance*
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021.
- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Sturton by Stow and Stow Neighbourhood Plan:
- a plan-led system – in this case the relationship between the neighbourhood plan and the adopted Central Lincolnshire Local Plan;
  - delivering a sufficient supply of homes;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - addressing climate change and flood risk issues;
  - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. In particular it includes policies to bring forward appropriate infill development in the two settlements. It also proposes the designation of local green spaces and an Area of Separation between the two villages. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority 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. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for housing and employment development (Policies 2 and 7 respectively). In the social role, it includes a policy on local green spaces (Policy 10), and community facilities (Policy 8). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on local character and design (Policy 5), on protected views (Policy 9) and on heritage matters (Policy 6). SSPC/SPC have undertaken their own assessment of this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

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

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

*European Legislation and Habitat Regulations*

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement, a screening exercise was undertaken on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA. The screening report reached this conclusion on the following basis:
- no sensitive natural or heritage assets will be significantly affected by policies contained in the Plan;
  - the policies are in general conformity with those within the CLLP; and
  - the Plan does not allocate specific large development sites or promote a large amount of development.
- 6.16 The screening report includes a separate Habitats Regulations Assessment (HRA) of the Plan. It comments that there are no protected sites within 15kms of the neighbourhood area. It concludes that the Plan is not considered to have the potential to cause a likely significant adverse effect on a European protected site.
- 6.17 The screening reports include the responses received as part of the required consultation process with statutory bodies. In doing so, they provide assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

### *Summary*

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

## **7 The Neighbourhood Plan policies**

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the two parish councils have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance Section (41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It also includes a package of Community Aspirations.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. The Community Aspirations are addressed after the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

*The initial sections of the Plan (Sections 1-4)*

- 7.8 These introductory elements of the Plan set the scene for the policies. They are commendable in the way that they are proportionate to the Plan area and its subsequent policies. The Plan is very well-presented. The distinction between the policies and the supporting text is very clear. It is helpfully supported by tables and maps.
- 7.9 Section 1 provides an introduction to the Plan. It includes information about the background to the preparation of the Plan. It is a particularly effective and concise introduction to a neighbourhood plan. It identifies the neighbourhood area and defines the Plan period (in paragraph 1.2.1).
- 7.10 Section 2 comments about how the Plan was prepared. It overlaps with the Consultation Statement. Figure 2 neatly summarises the plan preparation process.
- 7.11 Section 3 comments about the neighbourhood area. It provides details about its population, its community facilities and its business profile. It sets the scene for the Plan and its policies in a very comprehensive fashion. It has specific sections on the principal settlements. Section 3.2 provides a series of demographic and other information. Section 3.3 comments about the key issues facing the neighbourhood

area. They are conveniently arranged around the three dimensions of sustainable development. This is a very effective part of the overall Plan.

- 7.12 Section 4 sets out a Vision and a series of Objectives for the Plan. They are clearly related to the key issues as identified in Section 3.3. The approach taken provides assurance to all concerned that the Plan has addressed key local issues.
- 7.13 Section 5 provides a context to the way in which the resulting policies are presented and justified. Each policy is preceded by justification text, explaining how the policy is in line with the National Planning Policy Framework, the adopted Central Lincolnshire Local Plan, and how the policy is informed and guided by the data and the residents' responses collected as part of the community consultation events. This is a very helpful approach.
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 above.

#### Policy 1: Sustainable Development

- 7.15 This policy addresses the wider issue of sustainable development. In particular it identifies a series of principles to influence the location and design of new development.
- 7.16 The policy takes a positive approach to this wider matter and aims to ensure that new development properly supports the wider sustainability of the neighbourhood area. As submitted, the policy applies in a universal way. However, throughout the Plan period many planning applications will be of a minor or domestic nature. As such, they will have a limited ability to contribute directly to the sustainability agenda which the parish councils have in mind. I recommend a modification to address this matter so that the policy can be applied in a proportionate way. I also correct a typographic error in the wording of the policy and recommend that the format of criterion h) is modified so that it follows the same format of the other criteria.
- 7.17 The policy includes a detailed note about the way in which the existing or planned built up areas are defined. It takes a very positive and practical approach. However, it is explanatory text rather than policy. As such I recommend that it is relocated into the supporting text.
- 7.18 Otherwise the policy sets out a positive approach to sustainable development and meets the basic conditions.

#### **Replace the opening part of the policy with:**

**'To support and enhance the sustainability of the parishes of Sturton by Stow and Stow, development will be supported where it is consistent with the following principles as appropriate to the proposal's scale, nature and location within the neighbourhood area:**

**Replace criterion h) with: ‘Developments should incorporate clear measures for adaptation and resilience to climate change’**

**Delete the Note from the end of the policy.**

*Reposition the note so that it appears at the end of paragraph 5.1.7 with the following introduction*

*‘For the purposes of the policy the existing.... (include Note as set out in the submitted policy)’*

Policy 2: Residential Development Management

- 7.19 This policy largely sets out a spatial strategy for the Plan. It makes a clear distinction between the two principal villages and their surrounding countryside. In the two villages it identifies a series of criteria against which new proposals will be assessed. The policy clearly references Policies LP2 and LP4 of the CLLP. The policy’s approach towards this important matter largely provides a local dimension to the strategic approach already set out in the CLLP.
- 7.20 I recommend a series of detailed modifications to bring the clarity required by the NPPF. In most cases they seek to define the nature of the harm which the policy seeks to avoid with regard to development proposals in unsustainable locations.
- 7.21 I recommend two more substantial modifications to criteria m) and n) of the first part of the policy. Criterion m) refers to the capacity of utilities in the neighbourhood area. Criterion n) comments about the potential acceptability of on-site sewage facilities. In relation to criterion m) I recommend that the second sentence is deleted. As submitted, it refers to one way in which local solutions could be identified for the capacity of local infrastructure. I recommend that criterion n) is deleted from the policy. I do so I have taken careful account of the parish councils’ response to the clarification note. However, as WLDC comment, this is a matter which is controlled by separate legislation. For the purposes of a neighbourhood plan it is not a land use policy. Given the importance of this matter to the local community I recommend that it is captured in a revised way in the supporting text.
- 7.22 I recommend that the second part of the policy in relation to the countryside is restructured to achieve general conformity with Policy LP55 of the CLLP. As submitted the Plan takes an approach which, whilst not directly preventing residential development, is written in a negative fashion. In contrast, Policy LP55 is written in a positive fashion.
- 7.23 I recommend that the notes at the end of the policy are deleted and repositioned into the supporting text. This acknowledges that they explain the policy rather than define policy in its own right.
- 7.24 I recommend that Policy Maps 2.1 and 2.2 are refined in terms of their quality and detail. This takes account of the very helpful comments from WLDC. In this context it

is important that the built-up area for Sturton acknowledges a recent planning permission. WLDC also suggests that the three sites proposed to be allocated for residential use in the emerging Review of the CLLP (in Sturton by Stow) are included on Policy Map 2.1. I am not satisfied that this approach is necessary to ensure that the Plan meets the basic conditions as the neighbourhood plan is assessed against the adopted Plan. In the event that the sites are eventually included in the CLLP their incorporation into Map 2.1 of the Plan would be a matter for the parish councils to consider as part of a potential future review of a made neighbourhood plan.

**In part 1c of the policy replace ‘harmfully’ with ‘unacceptably’**

**In part 1e of the policy replace ‘adversely’ with ‘unacceptably’**

**In part 1g of the policy replace ‘significant negative’ with ‘unacceptable’**

**Replace Part 1j of the policy with: ‘appropriate mitigation measures are incorporated in the design of the proposal where any potentially negative impacts from a development on climate change are identified;’**

**Replace Part 1k of the policy with: the proposal demonstrates clear measures for adaptation and resilience to climate change;**

**In Part 1l of the policy replace ‘must be’ with ‘is’**

**In Part 1m of the policy delete the second sentence**

**Delete part 1n of the policy.**

**In the second part of the policy replace ‘In the surrounding countryside, residential development proposals will be resisted unless, alone or cumulatively with other proposed or recently approved development proposals, they’ with ‘In the surrounding countryside, residential development proposals will be supported where they’**

**Replace policy 2i to read: ‘as far as possible the shape of the village concerned should be maintained as defined by the existing or planned built up area of each settlement shown on policy maps 2.1 and 2.2’**

**Delete the Notes**

*At the end of paragraph 5.2.3 add the Note deleted from the policy*

*In paragraph 5.2.4 replace ‘Policy 2 addresses these factors by principle of actions which will benefit the design and layout of residential developments in Sturton by Stow and Stow’ with ‘Policy 2 sets out a series of criteria against which new proposals will be assessed in the built-up areas of Sturton on Stow and Stow. Criterion m comments about the capacity of local utilities and services. In some circumstances on-site sewage facilities will be acceptable where they meet industry standards and include maintenance and breakdown facilities’*

*Revisit Policy Maps 2.1 and 2.2 so that the definition of the built-up areas is sharper. For Sturton by Stow (Map 2.1) consider showing the detail on two separate maps.*

*Refine Policy Map 2.1 so that it shows the correct extent of the site affected by planning application PA 140331.*

### Policy 3: Area of Separation

- 7.25 The policy proposes the identification of an Area of Separation between Sturton by Stow and Stow. The Plan comments that the policy has been designed to protect this valued landscape and to take account of the role of this area in separating the two settlements and thus retaining their individual village character. It comments that developments that would reduce and/or detract from the open character of the Area of Separation will not be supported.
- 7.26 The supporting text comments that Policy LP 55 of the Central Lincolnshire Local Plan provides a clear context for the types of development that would be acceptable outside rural settlements. In particular, it identifies the circumstances in which new development may be acceptable in the countryside. The text then goes onto comment that most of the circumstances identified in that policy are not directly applicable to the proposed Area of Separation. In particular the Plan comments that this area includes a non-designated heritage asset and remnants of a mediaeval ridge and furrow agricultural system, the value of which is particularly dependent on openness and its open context.
- 7.27 I looked at the proposed Area of Separation carefully during my visit. I saw that it was in agricultural use and very open in its character. The purpose of the policy in maintaining the separation of the two settlements was self-evident. I also saw that the bulk of the proposed boundaries of the Area of Separation were defined by natural and/or man-made boundaries. This will make the implementation of the policy much clearer than would otherwise be the case.
- 7.28 I am also satisfied that the proposed Area of Separation has been carefully drawn to be the minimum area required to fulfil such a function. In particular there is no need for its northern boundary to be hard up against the southern edge of the built part of Stow village.
- 7.29 I have considered carefully the extent to which the policy adds any distinctive parish-based value beyond Policy LP55 of the CLP. Based on the details in the Plan, in the parish councils' responses to the clarification note and their responses to the representations, I am satisfied that it would serve a distinctive policy role. Nonetheless, I recommend the inclusion of additional supporting text to more fully explain the overlap between the Local Plan policy and the Neighbourhood Plan policy. I also recommend that the wording of the policy is modified so that it has the clarity required by the NPPF. This has the indirect effect of making the policy simpler.
- 7.30 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the environmental element of sustainable development by retaining the separation of the two principal settlements in their overarching agricultural landscape.

**Replace the policy with:**

**‘The Plan identifies an Area of Separation between Sturton by Stow and Stow, as shown on Policy Map 3.**

**Proposed developments that would have an unacceptable impact on the open character of the Area of Separation will not be supported’**

*At the end of paragraph 5.3.2 add:*

*‘Any planning applications which may come forward within the defined Area of Separation will be determined on the basis of Policy 3 of this Plan and as supplemented by Policy LP 55 (Development in the Countryside) of the Central Lincolnshire Local Plan. This reflects its undeveloped nature. Elsewhere in the neighbourhood area Policy LP 55 (Development in the Countryside) of the Central Lincolnshire Local Plan will apply to development in the countryside. This will include those parcels of land to the immediate south of Stow which are not included in the Area of Separation’*

Policy 4: Housing Mix and Affordability

- 7.31 This policy seeks to ensure that new residential development takes account of the demographic issues in the two parishes and provide housing which meets local housing needs. It comments that new development should provide and contribute to ensuring, a range of housing types and a mix of tenures based on identified housing needs in the most up to date housing needs assessment available at parish or District or housing market area level. It also comments that the delivery of affordable housing will be supported.
- 7.32 I recommend a series of related modifications to the policy to address the following matters:
- the remit of the policy (which as submitted would relate to all applications and not just to those for housing development);
  - the deletion of repetitive elements from the first part of the policy;
  - in the absence of any detailed evidence that the policy offers particular support for older people’s accommodation, including bungalows and smaller properties (1-2 bedrooms) rather than specifically requiring them to come forward as part of proposals;
  - the need for neighbourhood plans to address the need for First Homes.
- 7.33 I recommend modifications to both paragraphs 5.4.2 and 5.4.3. In the case of the former, the modification will ensure that the types of affordable housing are consistent with those as set out in Appendix 2 (Glossary) of the NPPF. In the case of the latter, it will ensure that the supporting text is consistent with the policy itself.
- 7.34 Otherwise the policy meets the basic conditions. It will assist in bringing forward homes which will meet the specific requirements of local people. In this context it will contribute significantly to the delivery of the social dimension of the sustainable development.

**Replace the policy with:**

**‘New residential development should provide a range of housing types and a mix of tenures based on identified housing needs in the most up-to-date housing needs assessment available at parish or District or housing market area level. Developments which provide accessible and adaptable dwellings, wheelchair user dwellings and/or First Homes will be particularly supported.**

**The delivery of affordable housing will be supported. Proposals for older people’s accommodation, including bungalows and smaller properties (1-2 bedrooms) will be particularly supported.’**

*Replace the final sentence of Paragraph 5.4.2 with:*

*‘The options typically available to provide affordability include:*

- *Affordable housing for rent;*
- *Shared ownership;*
- *First Homes; and*
- *Discounted market sector housing’*

*Replace paragraph 5.4.3 with:*

*‘Policy 4 supports the delivery of affordable houses. It has been designed to be in general conformity with Policy LP11 (Affordable Housing) of the Central Lincolnshire Local Plan. In this context, it offers specific support for a mix of house types to meet the specific local issues which were identified during the Plan-making process. They include the delivery of smaller homes which are likely to meet the needs of newly-created households. The Plan also offers support to the national initiative for the delivery of First Homes’*

**Policy 5: Delivering Good Design**

- 7.35 This policy looks to deliver good standards of design in the two parishes. In this context it is an excellent local response to Section 12 of the NPPF 2021.
- 7.36 It is underpinned by the Neighbourhood Profile which comments about the five identified character areas. It is a first-class piece of work which includes an interesting series of photographs.
- 7.37 The policy comments that all new development should demonstrate good quality design and respect the character and appearance of the surrounding area. All development proposals will be assessed to ensure that they effectively address the following matters, as described in detail in each Character Area chapter of the Neighbourhood Profile:
- siting and layout;
  - density, scale, form and massing;
  - detailed design and materials;

- landscaping and streetscape.
- 7.38 Parts 2 and 3 of the policy then provide additional details on design matters and infrastructure requirements respectively.
- 7.39 The policy takes a positive approach to this important matter. Through the detail incorporated in the Neighbourhood Profile its approach is both well-considered and evidence-based. To ensure that the policy has the clarity required by the NPPF I recommend the following modifications:
- that the references to the location of developments in the neighbourhood area in Parts 2 and 3 of the policy are deleted – they add no value to the policy and have the ability to confuse its intention;
  - a proportionate application of the policy based on the scale and nature of the proposal concerned;
  - an update to Policy 2h to reflect the changed title of Building for a Healthy Life and the way in which it operates; and
  - detailed modifications to some of the criteria so that they can be more clearly applied through the development management process.
- 7.40 I also recommend that the supporting text provides a degree of commentary about how the policy would be applied. On the one hand, it acknowledges that good design is important for all development. On the other hand, a degree of explanation will be helpful to take account of circumstances where the majority of planning applications in the Plan period will be minor or domestic in their nature. In day-to-day terms the policy will be applied as appropriate to the scale, nature and location of the development concerned.
- 7.41 Otherwise, the policy meets the basic conditions. It is an excellent example of local communities responding in a positive and distinctive way to this important agenda.

**In part 1 of the policy replace ‘All new development’ with ‘As appropriate to their scale, nature and location development proposals’**

**In part 2 of the policy delete ‘Irrespective.... Plan Area’**

**In f) replace ‘possible’ with ‘practicable’**

**Replace h) with: ‘will secure as many green lights and as few red lights as practicable against Building for A Healthy Life design code;’**

**In part 3 of the policy delete ‘irrespective.... Plan Area’**

**In a), b) and c) replace ‘negative’ with ‘unacceptable’**

**In d) replace ‘unimpeded’ with ‘in a safe and acceptable fashion’**

*At the end of paragraph 5.5.4 add: ‘Policy 5 applies to all developments irrespective of their scale and nature. It acknowledges that good design is important for all development. It also acknowledges that the majority of planning applications in the Plan period will be minor or domestic in their nature. In day-to-day terms the policy will be applied as appropriate to the scale, nature and location of the development concerned’*

## Policy 6: Historic Environment

- 7.42 The policy addresses the historic environment. It is very well-described in the supporting text. It comments that development proposals will be supported where they preserve or enhance the character or appearance of the historic settlements, listed buildings and their settings and any features of special architectural or historic interest, including locally important heritage assets, all as identified in Policy Map 7.
- 7.43 The policy also sets out a local approach to the protection of non-designated heritage assets. It is clear that significant local work has been undertaken on this matter. Policy Map 6 (and its key) is both comprehensive and impressive.
- 7.44 I have taken account of the approaches taken by Sturton by Stow Parish Council and WLDC towards the potential for the Former Friends Meeting House to be considered as a non-designated heritage asset. On the balance of the evidence and my own observations, I have concluded that the building can reasonably be regarded as a non-designated heritage asset.
- 7.45 The second part of the policy largely restates key elements of Section 16 of the NPPF. I recommend that it refers to the information in Map 6 to provide added local value.
- 7.46 Finally I recommend that the final two sentences of the second part of the policy are repositioned from the policy into the supporting text. This acknowledges that they are an explanation of the policy rather than policy in their own right.

**In the first part of the policy replace ‘Map 7’ with ‘Map 6’**

**In the second part of the policy after the first ‘asset’ add ‘(as shown on Policy Map 6)’**

**Delete the final two sentences of the second part of the policy.**

*At the end of 5.6.1 add: ‘The second part of Policy 2 addresses this important matter. [At this point insert the two deleted sentences from the second part of the policy]’*

## Policy 7: Employment and Business Development

- 7.47 This policy sets out a series of criteria against which proposals for employment and business development will be assessed. It takes a positive approach to this important matter to the economic wellbeing of the neighbourhood area.
- 7.48 I recommend that the opening element of the policy is modified so that it has the clarity required by the NPPF. The modification will have the indirect benefit of making the policy simpler.
- 7.49 I recommend that the first criterion is repositioned partly to a new second element of the policy and partly to the supporting text so that it offers support to development on

brownfield land rather than requiring it as part of the wider series of criteria. In coming to this conclusion, I have taken account of the helpful response of the parish councils to the clarification note. Otherwise, the implication of the criterion would be that development proposals would be required to take the opportunity to use vacant or redundant buildings or land rather than pursue an application on the chosen site. In this scenario an applicant would not necessarily be able to demonstrate that they had looked at alternative brownfield sites beyond their control.

- 7.50 I also recommend a modification to the third criterion (on digital working) so that it could be more practicably applied through the development management process
- 7.51 Finally, I recommend that the fifth criterion is modified so that it is applied where an enhancement of the local environment is practicable and directly related to the development proposed.
- 7.52 I also correct numerical errors in both the policy and the supporting text.
- 7.53 Otherwise the policy meets the basic conditions. In particular it responds positively to Section 6 of the NPPF. It will contribute significantly to the delivery of the economic dimension of sustainable development in the neighbourhood area.

**Replace the opening part of the policy with:**

**‘Proposals for new business premises, or the expansion and regeneration of existing businesses premises will be supported, subject to the following criteria:’**

**Delete criterion a)**

**In criterion b) replace ‘and enhance’ with ‘and, where practicable, enhance’**

**In b) i) replace ‘Policy 6’ with ‘Policy 5’**

**Replace criterion c) with: ‘Measures are implemented which enable remote digital working in the proposed development’**

**In criterion d) replace ‘Action is taken’ with ‘The proposal incorporates measures to’**

**Replace criterion e) with ‘The proposal improves the visual amenity of the neighbourhood area where it is practicable to do so and directly relates to the development proposed’**

**Include a second part of the policy to read:**

**‘Proposals which secure the re-use of vacant or redundant buildings and sites - especially those with historical merit - as part of the proposed development will be particularly supported’**

*At the end of paragraph 5.7.2 add: ‘Policy 7 provides a context for economic development to come forward in the neighbourhood area. The first part of the policy takes a general approach. The second part of the policy offers particular support for*

*proposals which make use of brownfield land. Developers of more general schemes are encouraged to provide a supporting statement which comments about their efforts to explore opportunities for their proposals to come forward on brownfield land within the neighbourhood area’.*

*In paragraph 5.7.4 replace ‘Policy 15’ with ‘Policy 14’*

#### Policy 8: Community Facilities

- 7.54 This policy identifies a series of community facilities in the two parishes. It then sets out an approach for their protection throughout the Plan period. The schedule of facilities is comprehensive. I saw their importance to the community during the visit.
- 7.55 The policy approach is well-considered. Whilst it sets out to safeguard the facilities it acknowledges that circumstances may change in the Plan period. It helpfully highlights the way in which viability issues will be considered as well as the potential for replacement facilities to come forward.
- 7.56 I recommend a series of modifications to bring the clarity required by the NPPF. They reflect the parish councils’ acknowledgement of these matters in its response to the clarification note. They are as follows:
- the reversal of the order of parts 1 and 2 of the policy to assist the casual reader to understand the policy;
  - a clarification of the geographic areas in Part 2 of the policy; and
  - the repositioning of the third part of the policy into the supporting text.
- 7.57 I also correct errors in policy and map numbers.
- 7.58 Otherwise, the policy meets the basic conditions. It will contribute significantly to the delivery of the social dimension of sustainable development.

#### **Replace the order of Parts 1 and 2 of the policy**

**In Part 2 of the policy (as submitted) replace the opening element with:  
‘The Plan identifies the community facilities listed below and as shown on Policy Maps 8.1 and 8.2 as important facilities for the local community’**

**In part 1 of the policy (as submitted) replace ‘an existing’ with ‘an important’ and ‘shall’ with ‘will’.**

#### **Delete the third part of the policy/**

*At the end of paragraph 5.8.3 add:*

*‘Developers are encouraged to engage with the relevant Parish Council prior to the preparation of any planning application which may have an impact on an identified important community facility. This will enable the parish council concerned to confirm*

*the nature of the local priorities and to ensure that, where appropriate and viable, the facilities proposed complement the existing provision'*

#### Policy 9: Protected Views

7.59 This policy identifies a series of protected views and develops an approach which requires new developments to take account of their significance within the two parishes. It is underpinned by the excellent Protected Views Assessment. I looked at some of the views during my recent visit.

7.60 I recommend the following series of modifications:

- a policy focus on development management outcomes rather than the technical processes to be followed;
- a repositioning of the technical process information into the supporting text;
- a simplification of the opening element of the policy; and
- clarity about the outcome of planning applications which would have an unacceptable impact on Protected Views.

7.61 Whilst the effect of these recommended modifications sounds significant, it results in a restructuring of the policy approach and its more robust application through the development management process. The views themselves remain unaffected.

#### **Replace the policy with:**

**'The Plan identifies as Protected Views as shown on Policy Maps 9.1 and 9.2.**

**Development proposals should be located and designed to take account of the identified Protected Views and where practicable to enhance or provide greater accessibility to the views concerned.**

**Development proposals which would have an unacceptable impact on a Protected View will not be supported'**

*At the end of paragraph 5.9.4 add: 'Where appropriate, planning applications should be accompanied by a supporting landscape assessment demonstrating how these views have been taken into account and explaining the steps taken to preserve or minimise the impact on the views.'*

#### Policy 10: Local Green Space

7.62 This policy proposes the designation of eight local green spaces. In one case, the defined LGS consists of a series of smaller spaces. The policy seeks to apply the principles in the NPPF on this matter to the various parcels of land. The proposed LGSs are described in the excellent Local Green Spaces Assessment. I looked at the proposed LGSs during my visit.

7.63 Based on my own observations and the information in the Plan, I am satisfied that the proposed LGSs meet the basic conditions. They are precisely the types of green  
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spaces which the authors of the NPPF would have had in mind in preparing national policy. The LGS Assessment demonstrates that they are evidence-based.

- 7.64 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.65 As submitted the policy includes an element of justification for the policy (and which is already included in the supporting text). As such I recommend that the opening element of the first part of the policy is simplified so that it concentrates solely on listing the proposed LGSs.
- 7.66 The policy sets out the implications for LGS designation. It seeks to follow the approach as set out in paragraph 103 of the NPPF. However, it goes slightly beyond that approach in indicating that the ‘development on or adjacent to the identified designated Local Green Spaces which would adversely affect their function as open spaces, will not be supported other than in very special circumstances’.
- 7.67 I can understand the circumstances which have caused SSPC and SPC to design the policy in this way. Nevertheless, I recommend a modification so that the policy takes the matter-of-fact approach in the NPPF. The recommended modification also takes account of the recent case in the Court of Appeal on the designation of local green spaces and the policy implications (2020 EWCA Civ 1259).
- 7.68 In the event that development proposals affecting designated LGSs come forward within the Plan period, they can be assessed on a case-by-case basis by WLDC. In particular WLDC will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy. I recommend that the supporting text clarifies this matter.
- 7.69 The third part of the policy refers to the provision of new green space. In its response to the clarification note the parish councils acknowledged that this element of the policy better related to Policy 11. I recommend that it is deleted from the policy. I recommend an associated modification to Policy 11 later in this report.

**Replace the first part of the policy with:**

**‘The Plan designates the following parcels of land (as shown on Policy Map 10.1 - Sturton by Stow and Policy Map 10.2 - Stow) as Local Green Spaces:**

**[List the eight sites at this point]’**

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

**Delete the third part of the policy.**

*Add a new paragraph of supporting text (5.10.4) to read: ‘Policy CNP11 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy’*

Policy 11: Green Infrastructure

7.70 This policy sets out a comprehensive approach to green infrastructure. It has five related elements and identifies key elements of green infrastructure. Policy Map 11 identifies the key elements of green infrastructure. The fourth part of the policy identifies that green infrastructure in the neighbourhood area includes:

- the network of footpaths linking between Sturton by Stow and Stow, and between and with other villages and hamlets;
- ditches and dykes;
- grass verges, mature trees and hedgerows; and
- green spaces such as ridge and furrow fields.

7.71 The policy has been underpinned by detailed local research.

7.72 I recommend a series of modifications to ensure that the policy has the clarity required by the NPPF and will be directly applicable through the development management process. The recommended modifications address the following matters:

- that any contributions towards green infrastructure should be proportionate to the development concerned and reasonably related to the site;
- detailed changes to the words used in the various elements of the policy;
- the relocation of the fourth part of the policy (seeking to describe green infrastructure) into the supporting text;
- the inclusion of additional supporting text to connect the policy approach to the Community Infrastructure Levy Regulations; and
- the incorporation of the third part of Policy 10 into this policy.

**Replace the opening element of the first part of the policy with:  
‘As appropriate to their scale, nature and location development proposals should’**

**In the second part of the policy replace ‘a detrimental’ with ‘an unacceptable’**

**In 2a) delete ‘detrimental’**

**In the third part of the policy replace ‘significant’ with ‘unacceptable’**

**Delete the fourth part of the policy.**

**Add a new part of the policy to read:**

**‘Proposals for development that create/make provision for new green space (in addition to and not a replacement for existing green space) will be supported. Where practicable such proposals should provide amenity for residents, be of value for wildlife and provide climate change mitigation, adaptation and resilience.’**

*At the end of paragraph 5.11.1 add:*

*‘Policy 11 sets out an approach to ensure that green infrastructure is properly taken into account when planning applications are determined. [Insert at this point the deleted part four of the policy]. The first part of the policy seeks to ensure that new development contributes towards the maintenance of existing and the creation of new green infrastructure. It takes a proportionate approach based on the scale and nature of the development proposed. It will be applied so that it complies with the three principles for developer contributions as included in the Community Infrastructure Levy Regulations and as captured in the Central Lincolnshire Local Plan Developer Contributions Supplementary Planning Document.’*

Policy 12: Environmental Protection

- 7.73 This policy takes a similar approach to Policy 11 but with a specific focus on matters relating to environmental protection. It does so to good effect.
- 7.74 I recommend detailed modifications to some of the criteria in the second part of the policy so that they have the clarity required by the NPPF. I also recommend a modification to the third part of the policy for the same purpose and to ensure that it can be applied in a proportionate way.
- 7.75 Otherwise, the policy takes a very practical and positive approach to this matter and meets the basic conditions. It provides a distinctive local response to Section 15 of the NPPF and which takes account of the local environment.

**In part 1 replace ‘Environment’ with ‘environment’**

**In part 2 c)-e) replace ‘appropriate’ with ‘practicable’**

**Replace the third part of the policy with: ‘As appropriate to their scale, nature and location, development proposals should incorporate environmental**

**protection measures which clearly demonstrate mitigation, adaptation and resilience to climate change’.**

Policy 13: Flood Risk

- 7.76 This policy seeks to safeguard the neighbourhood area from the risk of flooding. It comments that development proposals, including those within areas that have experienced flooding, as shown on accredited flood risk maps should demonstrate that the proposal has considered the risk of flooding from all sources and will not have a detrimental impact on existing foul and surface water drainage infrastructure. It also comments that proposals will be expected to make use of Sustainable Drainage Systems, wherever possible, to manage surface water.
- 7.77 More detailed parts of the policy comment about specific issues such as culverting, the discharge of surface water and the rate of surface water run-off.
- 7.78 The policy takes a balanced and proportionate approach to this matter. I recommend a series of modifications so that the policy has the clarity required by the NPPF as follows:
- the repositioning of elements of the policy which offer explanation to the policy to the supporting text;
  - detailed changes to the wording used in the policy; and
  - the deletion of elements of the policy which simply restate national policy without adding any distinctive local value
- 7.79 I also correct some errors in the supporting text.
- 7.80 Otherwise, the policy meets the basic conditions. It provides safeguards for the local community on this important matter

**In the first part of the policy replace ‘detrimental’ with ‘unacceptable’**

**In the first part of the policy delete ‘with details.... where required’**

**Replace the final sentence of the first part of the policy with: ‘Development proposals should make use of sustainable drainage systems to manage surface water wherever practicable’**

**In the second part of the policy replace ‘The development proposed’ with ‘Development proposals’**

**Delete the third part of the policy.**

**In the fourth part of the policy replace ‘Proposals’ with ‘Development proposals’**

**Replace the fifth part of the policy with: ‘Development proposals for new dwellings should be designed to minimise the discharge of surface water. Proposals that include the provision of permeable parking spaces and driveways will be particularly supported’.**

**In the sixth part of the policy replace ‘and should be designed to deliver ecological benefits where possible’ with ‘and be designed to incorporate ecological benefits wherever practicable’.**

**Delete the seventh part of the policy.**

*In paragraph 5.13.2 replace ‘require’ with ‘requires’*

*Change paragraph 5.13.4 to 5.13.3*

*At the end of paragraph 5.13.3 add:*

*‘Policy 13 sets out a comprehensive approach to this matter. Proposals for new residential and commercial development, and/or infrastructure should be accompanied by a drainage strategy which outlines the way in which the drainage infrastructure (surface water and foul) will be designed and constructed such that it does not increase the level of flood risk or the risk of sewage being released into the environment, and, wherever practicable, reduces flood risk and the possibility of sewage release in the area.’*

Policy 14: Broadband and Services

- 7.81 This policy recognises the importance of good communication services in the two parishes. It comments that development proposals that improve existing and provide new access to a high-speed broadband network will be supported. It also offers similar support to proposals which would contribute to the improvement of phone coverage and the most advanced connectivity technologies in mobile communication where the installation, size and siting of the equipment will have no unacceptable impact on the villages’ character and identified protected views.
- 7.82 The second part of the policy comments that ‘new development which provides the means for new residents to access the most advanced high-speed broadband network technologies and, if possible, contribute to improvements in the service for existing residents and businesses will be supported’. I recommend that this element is deleted from the policy for three principal reasons. The first is that it largely restates the first part of the policy. The second is that its intentions for new development are unclear and as submitted has the ability to deliver unintended consequences. The third is that its focus on ‘new residents’ is not a land use issue and would be impractical to apply through the planning process.
- 7.83 I also recommend detailed modifications to the wording used in other elements of the policy. Otherwise, it meets the basic conditions. It will contribute towards the delivery of each of the three dimensions of sustainable development.

**In the first part of the policy delete ‘to serve.... Parishes’**

**Delete the second part of the policy.**

**Throughout the third and fourth parts of the policy replace ‘possible’ with ‘practicable’**

**In the fourth part of the policy delete ‘detrimental’**

Policy 15: Walking and Cycling

- 7.84 This policy recognises the potential significance of existing and proposed sustainable forms of travel in the two parishes. It comments that development proposals directly related to improving or extending walking and cycling routes, as identified on Policy Map 15, will be supported where they meet identified criteria. It also comments that developments that propose improvements or extensions to the existing public rights of way footpaths, as identified on Policy Map 15, from Sturton by Stow to Stow and other nearby settlements, or the creation of new walking and cycling routes, will be strongly supported.
- 7.85 The policy takes a very robust approach to this important local matter. I recommend a series of detailed modifications to the wording used to bring the clarity required by the NPPF. They do not alter the overall approach taken. Otherwise, the policy meets the basic conditions. It will contribute towards the delivery of the social dimension of sustainable development and will allow people to move around the two parishes in a more sustainable fashion.

**In the opening element of the first part of the policy replace the second ‘proposals’ with ‘they’**

**In Policy 1a replace ‘detract from’ with ‘have an unacceptable impact on’**

**In Policy 1b replace ‘any unduly adverse impact’ with ‘an unacceptable impact’**

Community Aspirations

- 7.86 The Plan includes a series of Community Aspirations. They have naturally arisen during the production of the Plan. They are not land use matters. As such they are included in a separate part of the Plan.
- 7.87 There are 18 Aspirations arranged under the following headings:
- Promoting health and well-being
  - Providing a safe environment
  - Protecting and enhancing our environment
  - Economic development and infrastructure
- 7.88 I am satisfied that the Aspirations are appropriate to the parish and reflect its distinctive character. In their different ways they will be complementary to the land use policies in the main body of the Plan. The following Aspirations have the ability to bring forward significant enhancement to the well-being of the two parishes:
- 10 Traffic
  - 14 Wildlife
  - 15 Improved utilities including Broadband
  - 16 Transport options
  - 17 Promoting local opportunities

## Monitoring and Review

- 7.89 Section 6 of the Plan helpfully comments about how it would be monitored and reviewed. It does so to general good effect. However, it does not directly acknowledge that the review of the CLLP will be a key stage in this process.
- 7.90 In this emerging context, I recommend that the Plan includes a more explicit reference to the ongoing review of the CLLP and its potential impact on a 'made' neighbourhood plan. This will be particularly important in the event that the strategic approach taken in that Plan differs significantly from the adopted CLLP.

*At the end of paragraph 6.1.4 add:*

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

## Other Matters - General

- 7.91 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for WLDC and the parish councils to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

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

## Other Matters – Specific

- 7.92 The parish councils have undertaken a detailed assessment of each of the comments made on the Plan and have prepared responses to those comments. In most cases, the parish councils have agreed to update the Plan to take account of the various comments and/or to correct factual errors. This is best practice.
- 7.93 Where it is necessary for basic conditions purposes, I have recommended modifications to the policies and text on a policy-by-policy basis in this report. I set out below a more general series of modifications which have not been included earlier in this report. They are required to ensure that the Plan meets the basic conditions:

*Paragraph 3.2.7 - Update the housing land availability in the parishes to take account of the most up to date figures supplied by WLDC.*

*General – update any references to the NPPF to the NPPF 2021*

- 7.94 With one exception, I do not comment in any detail on the other matters raised in the representations and addressed by the parish councils given that they have the purpose of refining the supporting text of the Plan. In any event, the process has continued the collaborative approach in which the Plan has been prepared.
- 7.95 SSPC/SPC have responded positively to the representation from the Limestone Farming Company Limited. On this basis, I recommend that the schedule of detailed changes to the Plan as set out in the note from the Secretary of the Neighbourhood Planning Group of 23 September 2021 are incorporated into the Plan.

*Incorporate the suggested amendments to the Plan as set out in the table attached to the e-mail from the Secretary of the Neighbourhood Planning Group dated 23 September 2021.*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan, I have concluded that the Sturton by Stow and Stow Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended some modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

### *Conclusion*

- 8.4 On the basis of the findings in this report I recommend to West Lindsey District Council that subject to the incorporation of the modifications set out in this report that the Sturton by Stow and Stow Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved on 20 June 2018
- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The parish councils' responses to the clarification note and the representations received has been both comprehensive and collaborative.

**Andrew Ashcroft**  
**Independent Examiner**  
**25 March 2022**