

Hough on the Hill Parish Neighbourhood Plan 2014 - 2026

**A report to South Kesteven District Council of the
Examination of the Hough on the Hill Parish
Neighbourhood Plan**

**by Colin Blundel BSc MSc DipTP MRTPI
Independent Examiner**

**Trevor Roberts Associates Ltd
20 January 2015**



CONTENTS

1. INTRODUCTION.....	1
2. THE PLAN AREA.....	1
3. THE EXAMINER’S ROLE.....	2
4. LEGAL REQUIREMENTS.....	3
5. BACKGROUND DOCUMENTS	3
6. SITE VISIT	3
7. CONSULTATION.....	4
8. THE NEIGHBOURHOOD PLAN AS A WHOLE.....	6
9. THE NEIGHBOURHOOD PLAN POLICIES.....	8
10. NEIGHBOURHOOD PLANNING DESIGN GUIDANCE.....	23
11. DELIVERY STRATEGY.....	23
12. APPENDICES.....	23
13. CONCLUSIONS ON BASIC CONDITIONS	24
14. REFERENDUM	25
15. APPENDIX 1 - SUMMARY TABLE OF RECOMMENDED AMENDMENTS	28

INTRODUCTION

1. This report sets out the findings of the Independent Examination of the Hough on the Hill Parish Neighbourhood Plan 2014 to 2026 (HHNP).
2. The Plan has been submitted to South Kesteven District Council (SKDC) by Hough on the Hill Parish Council, which is the qualifying body under the Neighbourhood Planning (General) Regulations 2012. The plan was co-ordinated by a Neighbourhood Planning Project Team with professional support.
3. It is clear that a lot of hard work has gone into preparing the HHNP and the Project Team should be congratulated for pulling it together.
4. The HHNP has subsequently been submitted for examination to Trevor Roberts Associates by the District Council, with the agreement of the Parish Council.
5. Neighbourhood Plans were introduced by the Localism Act 2011 with the aim of allowing local communities to take responsibility for guiding development in their area. This role was confirmed in paragraph 183 of the National Planning Policy Framework (NPPF) as follows –

183. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:

- *set planning policies through neighbourhood plans to determine decisions on planning applications; and*
 - *grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.*
6. This report assesses whether the plan submitted to the District Council is legally compliant and meets the Basic Conditions that neighbourhood plans are required to meet. It then considers the content of the plan and recommends a limited number of changes to the policies and supporting text.
 7. Finally, this report recommends whether or not the HHNP should go forward to a local referendum.

THE PLAN AREA

8. The parish of Hough on the Hill is located in the South Kesteven District of Lincolnshire. It has a population of around 400 and consists of around 167 households. The majority of these are located within Hough on the Hill village itself and the smaller settlements of Gelston and Brandon, with occasional groups of buildings located in the surrounding open countryside. The HHNP area coincides with the boundary of Hough on the Hill Parish and covers an area of around 15km².

THE EXAMINER'S ROLE

9. I was appointed by SKDC, with the consent of Hough on the Hill Parish Council, to conduct an examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the District Council and the Parish Council. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.
10. I have around 30 years' experience of environmental management, environmental policy and town planning and have been a full member of the Royal Town Planning Institute (RTPI) since 2001. I hold a BSc (Hons) in Biology, an MSc in Environmental Resources and a Postgraduate Diploma in Town and Country Planning. I have undertaken a number of roles within the public and voluntary sectors working on environmental planning issues and have been running my own planning and environmental consultancy since 2007. I am an Associate of Trevor Roberts Associates.
11. As Independent Examiner I am required to recommend one of the following:
 - that the Neighbourhood Plan is submitted to a referendum
 - that modifications specified in this report are made and that the modified Neighbourhood Plan is submitted to a referendum
 - that the Neighbourhood Plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
12. As Independent Examiner I must consider whether the Neighbourhood Plan meets the Basic Conditions¹. The guidance in the National Planning Practice Guidance (NPPG) relates to legislation in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990.
13. These Basic Conditions as set out in the NPPG are as follows:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
 - the making of the neighbourhood plan contributes to the achievement of sustainable development
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
14. My conclusions as to whether the HHNP meets these Basic Conditions are included at the end of this report.

¹ National Planning Practice Guidance - Reference ID: 41-065-20140306

LEGAL REQUIREMENTS

15. In examining the HHNP I am also legally required² to check whether:
- the policies relate to the development and use of land for a designated Neighbourhood Plan Area
 - the Neighbourhood Plan meets the requirements to specify the period to which it has effect
 - the Neighbourhood Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been submitted for examination by a qualifying body
 - the voting area should extend beyond the neighbourhood area to which the Neighbourhood Plan relates.
16. Having addressed the matters identified in paragraph 15, I am satisfied that each of the first three criteria has been met. My conclusion as to whether the voting area should be extended is included at the end of this report.

BACKGROUND DOCUMENTS

17. In undertaking this examination, I have considered the following documents:
- Hough on the Hill Parish Neighbourhood Plan 2014 to 2026 (Draft)
 - Hough on the Hill Parish Landscape Character Assessment (Allen Pyke Associates Oct 2013)
 - South Kesteven Core Strategy to 2026 (adopted July 2010)
 - South Kesteven Local Plan - Site Allocation and Policies Development Plan Document (adopted April 2014)
 - Combined Decision and Report (South Kesteven District Council Sept 2014)
 - Hough on the Hill Basic Conditions Statement
 - Hough on the Hill Evidence Base
 - Hough on the Hill NDP SEA Screening Determination
 - Hough on the Hill Consultation Statement
 - Public Notice
 - Hough on the Hill Representations.

SITE VISIT

18. I carried out an unaccompanied visit to the Hough on the Hill area on 15 December 2014. I walked from Hough on the Hill village along the public footpath to Gelston to visit the area around the green and look at the views to the south. I continued on to Loveden Hill and Gelston Grange. After looking at the proposed location for a wind farm at Temple Hill, I visited Brandon. From there I walked back from Brandon across the fields and back to Hough. On the last part of the route I found a number of rights of way that were very difficult to follow as the route had been ploughed. Back in Hough on the Hill village I walked around the centre, including the church and a number of local footpaths and side roads.

² Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)

19. I found that the parish was rural in character with three main nucleated settlements. There were a number of features of historic interest, including the church and village centre in Hough, the green at Gelston and the chapel at Brandon. On my walk around the parish I noticed that there were a number of significant views out of the parish across open countryside. The countryside of the parish typically consists of agricultural land, bounded by hedgerows and hedgerow trees. There are a number of small woodlands to add diversity. Loveden Hill is a dominant feature across much of the parish due to its distinctive hilltop woodland. There is a comprehensive network of public rights of way covering most of the parish.

CONSULTATION

The Consultation Process

20. The Project Team has prepared a Statement of Consultation which clearly sets out the process from the initial decision by the Parish Council to prepare the plan through to the HHNP's submission for examination. I am satisfied that the stages outlined are consistent with the necessary Regulations³.
21. I am satisfied that, in designating Hough on the Hill Parish as a Neighbourhood Planning Area, SKDC followed the correct process in advertising the proposed designation for a six-week period. As no representations were received, the HHNP area was designated on 26 February 2013.
22. The first stage of consultation was to publicise that the HHNP was being developed through leaflets and a website and asking local residents to complete a questionnaire. There were 28 responses to this questionnaire. This was followed shortly afterwards by another questionnaire relating to the Landscape Character Assessment (LCA).
23. Two workshops were then held, one in relation to the LCA and one to consult on the issues to be included in the HHNP. The first workshop was attended by over 30 people and the second by 33.
24. As Loveden Hill was identified as a key issue, local landowners were approached and asked for their views on a potential Local Green Space designation for the site.
25. Once the HHNP had been drafted, letters and e-mails were sent out to statutory consultees, landowners and other key organisations. I am satisfied that the list of consultees was comprehensive and that the statutory 6-week consultation period was adhered to. In addition to these consultees, every property in the parish was leafleted and made aware of the consultation period. I consider that this gave local residents ample opportunity to input to the HHNP at a crucial stage in its development and is an appropriate level of consultation. I am satisfied that these consultation responses have been addressed in a structured way through the Statement of Consultation and that the comments made have resulted in changes to the HHNP.

³ Parts 2,3 and 5 of the Neighbourhood Planning (General) Regulations 2012

26. Once the HHNP had been submitted to SKDC, the Council undertook a further 6-week publicity period as required by Section 16 of the Neighbourhood Planning Regulations. I am satisfied that the process undertaken is consistent with sub-sections (i) to (v) of Section 16⁴.
27. Similarly, the Council has followed the correct process as required by Section 17 of the Regulations⁵ in appointing myself as an independent examiner and in providing all the necessary documents.
28. The Landscape Character Assessment carried out by Allen Pyke Associates included a separate public workshop and questionnaire, which, in my view, adds value to its findings, particularly in identifying which are the most valued features and views.
29. I am in no doubt that the Project Team has sought to keep everyone in the parish informed, including publicising their meetings on the village noticeboard and inviting the public to attend.
30. From the evidence provided to me through the Statement of Consultation I am in no doubt that the preparation of the Neighbourhood Plan has included an inclusive and comprehensive approach to seeking the opinions of all interested parties at all stages of the plan-making process. The Project Team and their advisers have taken many of the comments from three questionnaires and two workshops on board and incorporated changes into the Neighbourhood Plan. I conclude that the consultation process undertaken fully complies with the requirements of the Regulations⁶.

Representations

31. During the six week publicity period on the submission draft of the HHNP, SKDC received a total of 17 responses from 8 different consultees. The responses are summarised below along with my responses to them.
 - Natural England supported the approach being taken to the natural environment, and particularly, landscape character and the protection of Local Green Space.
 - English Heritage made 9 comments:-
 - ‘Reference should be made at Paragraph 16 to the Grade II* listed chapel at Brandon. At paragraph 17, reference should be to 'scheduled monuments' not 'scheduled ancient monuments' as per 1(11) Ancient Monuments and Archaeological Areas Act 1979. This convention should be applied throughout the Plan.’ I recommend that this change is incorporated into the HHNP for clarity.
 - Suggested changes to the layout of Section 4. I don’t consider these changes are necessary as key features are already listed under each settlement.
 - Suggested changing the first objective in paragraph 102 (and 55) *'Promoting sensitive development which protects and enriches the landscape ~~and built setting of the Parish of the Parish and protects and enhances the built and historic environment of its settlements and their setting.~~'* I consider this change would be positive as it would add in protection to the built environment itself, as opposed to just the setting. This would be more consistent with the policies that follow.

⁴ Section 16 of the Neighbourhood Planning (General) Regulations 2012

⁵ Section 17 of the Neighbourhood Planning (General) Regulations 2012

⁶ Part 5, Section 14 of the Neighbourhood Planning (General) Regulations 2012.

- Six further comments were made on specific policies and these are covered in the policy section below.
- Lincolnshire County Council made 2 representations, one supporting the HHNP overall and agreeing it met the basic conditions, and one welcoming the inclusion of local infrastructure provision in the Delivery Strategy.
- The Heritage Trust for Lincolnshire supported the designation of Loveden Hill as Local Green Space.
- Anglian Water had no comments on the HHNP.
- Foston Parish Council supported the HHNP and considered that the issues were similar to those in their emerging Neighbourhood Plan.
- Two individuals responded to the consultation, one expressing concerns that they had not been sufficiently informed of the process and one providing additional evidence to support the designation of Loveden Hill.

THE NEIGHBOURHOOD PLAN AS A WHOLE

32. In considering the HHNP as a whole I am required to consider whether it is legally compliant and whether it meets the Basic Conditions required of a Neighbourhood Plan. The Project Team has prepared a Basic Conditions Statement in relation to the HHNP, which has been agreed with SKDC.
33. In terms of legal compliance, the HHNP preparation process clearly follows the requirements of the legislation and accompanying Regulations⁷. The HHNP has been submitted by Hough on the Hill Parish Council which is a qualifying body and the boundary of the HHNP area was designated by SKDC on 26 February 2013 and relates to Hough on the Hill Parish only.
34. It is clear from the cover of the HHNP that the plan period is 2014 to 2026, which is a realistic time period for this type of plan and coincides with the timescale for the South Kesteven Core Strategy.
35. In order to comply with the Basic Condition relating to European obligations, the Project Team requested a formal determination from the District Council as to whether the HHNP would require a Strategic Environmental Assessment (SEA) under the SEA Directive⁸ and UK Regulations⁹. I am satisfied that the District Council followed the required process in consulting with Natural England, the Environment Agency and English Heritage. I am also satisfied with their conclusion that the SNP is not likely to have significant environmental effects and that an SEA is not required.
36. Having reviewed the District Council's 'Strategic Environmental Assessment Screening Report', I am satisfied that a thorough process has been undertaken in accordance with the various regulations. In particular, I agree that the environmental impacts would be limited as the HHNP

⁷ Localism Act (2011) and the Neighbourhood Planning (General) Regulations 2012.

⁸ European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment".

⁹ Environmental Assessment of Plans and Programmes Regulations 2004 Section 9(1).

is not proposing to allocate sites for development. In the case of the Habitats Regulations¹⁰, it is clear to me that, as there are no European protected sites within 20km of Hough on the Hill, then a Habitats Regulations Assessment is not required.

The Content of the Neighbourhood Plan

37. The Hough on the Hill Parish Neighbourhood Plan starts with an Introduction which sets the scene by introducing neighbourhood plans as a concept and the background to why one was considered necessary for the parish. The main reasons given are pressure from an increased number of planning applications and wanting greater certainty as to what is acceptable and appropriate, particularly in relation to landscape, historic fabric and rural character. The process sought to give local people a greater say in the future of the parish. I consider that these are sound reasons to justify the need for the Plan.
38. The HHNP has been co-ordinated by a Project Team of local residents, with professional planning and landscape support being acquired through grant aid.
39. Section 2 provides introductory information about the area and its people. It describes the settlements that make up the parish and the following issues:
 - History and Heritage
 - Local Character, Landscape and Environment
 - Farming and Wildlife Conservation
 - Housing
 - Economy
 - Transport and Movement
 - Flood Risk, Water Quality and Geology.
40. This section has clearly been well researched and is written in a very readable style. It gives an excellent overview of the parish.
41. Section 3 of the report summarises the consultation process referred to above and also sets out Aims, Objectives and Strategy for the HHNP. These have clearly been derived from public consultation and incorporate the social, economic and environmental aspects of sustainability. I am satisfied that these are a fair reflection of the parish and (subject to the change to the first objective suggested in paragraph 31 above) the wording is clear.
42. The section on 'Opportunities and Constraints' (Section 4) has again been well researched and has drawn on the Landscape Character Assessment prepared by Allen Pyke Associates. I consider the description of the village to be a very accurate one, having visited the village to view a number of the features described, including a number of the key views identified. I consider that this summary of key heritage and landscape features, along with the LCA will be able to provide strong support for decision-making in relation to any future planning applications.

¹⁰ The Conservation of Habitats and Species Regulations 2010.

THE NEIGHBOURHOOD PLAN POLICIES

43. The HHNP states that the Regulations¹¹ have informed the preparation of policies for the Neighbourhood Plan, in particular:
- Ensuring that the Neighbourhood Plan contributes to the achievement of sustainable development (which is defined below in paragraph 44).
 - Ensuring that the Neighbourhood Plan is in general conformity with the strategic policies of South Kesteven District Council.
44. The definition of sustainable development used in the HHNP (paragraph 100) is that used in the NPPF, which seeks to integrate economic, social and environmental roles for planning. In my view, this is the relevant and recent definition to use.
45. I consider that in developing the HHNP, the Project Team and its consultants have sought to integrate the three strands of sustainable development into the Aims and Objectives and policies of the HHNP. They are also looking to take a long term view by setting policies up to 2026.
46. Paragraph 101 of the HHNP sets out a number of broad parameters for Neighbourhood Plans, taken from paragraphs 183 and 184 of the NPPF. I agree with the Project Team that these are the key issues to be addressed in developing the policies.
47. The HHNP policies aim to meet the policy objectives that were identified during the consultation process. Including these objectives in the policy section provides a clear link to show how the policies have been developed to address issues from earlier evidence gathering and community consultation exercises. These objectives seem to me to be a reasonable list which covers the economic, social and environmental roles of sustainable development.
48. In assessing the effectiveness of the proposed policies in the HHNP, I have taken my own view on the policies, based on experience from elsewhere and have reviewed them against national and local planning policy and guidance. At the time the HHNP was drafted the relevant policies were those in the NPPF and the SKCS. As the Core Strategy pre-dates the NPPF its policies can be given weight in accordance with their degree of consistency with the NPPF. Since the HHNP was drafted, the Government has published the NPPG in 2014 to support the NPPF and SKDC adopted the SAPDPD in 2014. I have taken all four documents into account in my assessment of the policies.
49. Where relevant I have also taken into account representations made during the recent six-week publicity period.

Character and Built Environment - Policies HoH1 and HOH2

50. These policies aim to ensure that any new development enriches the landscape and built setting of the parish. They also aim to protect important features and characteristics as defined in the HHNP. I am satisfied that the HHNP and the accompanying Landscape Character Assessment provide a detailed and thoroughly researched evidence base which can be used to effectively protect and enhance the landscape and built environment, and prioritise local distinctiveness in the parish.

¹¹ Neighbourhood Planning (General) Regulations 2012.

51. Policy HoH1 uses the term ‘appropriate uses’ which by itself could lead to a number of different interpretations as to what is considered appropriate. However the supporting text in paragraph 106 makes it very clear that this relates to the uses set out in Policy SP1 of the Spatial Strategy contained within the South Kesteven Core Strategy. These uses are set out in full in paragraph 105 to avoid any doubt.
52. As currently worded, I consider that the first paragraph of policy HoH1 relates to enriching the setting of the parish rather than the parish itself. Assuming it is the intention to include the parish in this policy I have suggested a minor amendment to the wording of the policy (see below).
53. The first paragraph of Policy HoH2 appears, on the face of it, to be similar to the first paragraph of HoH1. The main difference is that HoH2 is about protecting the existing character, whereas HoH1 is about enriching that character. As HoH2 goes on to deal with more specific details such as materials and boundary treatments, and local design guidance, I am satisfied that it should be a separate policy to HoH1.
54. As with HoH1, I consider that there is sufficient supporting evidence contained within the HHNP to enable this policy to be implemented effectively.

Table of conformity/compliance – Policies HoH1 and HoH2

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none"> • These policies are consistent with paragraph 17 of the NPPF, which sets out core planning principles. The key paragraphs of relevance relate to the role of neighbourhood planning, high quality design, the character of different areas and conserving and enhancing the natural environment. • These policies will contribute to meeting the requirement for development to be sustainable under paragraphs 7 and 14. • Policies HoH1 and HoH2 would meet the requirements of paragraph 58 relating to sense of place, local character and visually attractive developments. • The wording is also consistent with the NPPF in relation to Sections 11 and 12 regarding conservation and enhancement of the natural and built environment. Policies HoH1 and HoH2 are particularly consistent with paragraphs 109, 117 and 126 of the NPPF.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none"> • The HHNP includes a comprehensive description of the local built environment to support these policies. This, combined with the policies, is consistent with the suggested approach to the historic environment in Neighbourhood Plans, as set out in the NPPG¹².
South Kesteven Core Strategy 2010 (SKCS)	<ul style="list-style-type: none"> • These policies are consistent with the Vision statement and Objectives 1, 11 and 12, included within the SKCS.

¹² National Planning Practice Guidance – Reference ID 18a-007-20140306.

	<ul style="list-style-type: none"> • Policy SP1 of the SKCS relating to the Spatial Strategy has been referenced in the Neighbourhood Plan and its requirements in relation to villages and countryside development have been directly incorporated into the HHNP. The exceptions to policy SP1 have been identified as ‘appropriate uses’ within the Plan. • Policies HoH1 and HoH2 are wholly consistent with Policy EN1 of the SKCS. Whilst they are less detailed than EN1, I am satisfied that the detailed assessment of the local area included in the HHNP will enable these policies to be implemented effectively in conjunction with Policy EN1.
<p>South Kesteven Site Allocations and Policies Development Plan Document 2014 (SAPDPD)</p>	<ul style="list-style-type: none"> • The SAPDPD was adopted in April 2014 and may have been too late to be included in the Neighbourhood Plan. The SAPDPD includes Policy SAP2, which relates to Rural Exception Affordable Housing. The policy includes a number of criteria, including avoiding impacts on local character, landscape and historic assets. Therefore I consider that Policies HoH1 and HoH2 are consistent with Policy SAP2.

55. **Representations** – English Heritage suggested rewording Policy HoH1. I have suggested alternative wording for this policy below, based on the English Heritage advice.
56. **Conclusion** – The proposed policies are consistent with national and local planning policy. The current wording of HoH1 appears to relate to the setting rather than the settlements themselves, so I have suggested a minor alteration to the wording.
57. **Recommended amendments to the policy HoH1 –**

Policy HoH1:

New development for ‘appropriate uses’ (see paras 105 and 106 above), which are in accordance with the other policies of this plan, will be supported where it can be demonstrated that opportunities to enrich the landscape and built environment setting of the Parish and its setting have been incorporated.

Locally important features and characteristics against which any development will be assessed are clearly defined in this Neighbourhood Plan and its evidence base and development which appropriately responds to these will be supported.

Conservation and Built Environment - Policies HoH3, HoH4, HoH5 and HoH6

58. The HHNP has adopted the definition of ‘heritage assets’ from the Glossary in Annex 2 of the NPPF, including both designated heritage assets and those identified by the local planning authority. These four policies cover the impacts of potential developments on different types of heritage assets. The policies are supported by evidence included within the HHNP and the Hough on the Hill Conservation Area Appraisal 2014 Draft Review.
59. Policy HoH3 concerns the protection of the Hough on the Hill Conservation Area, which includes most of the village of Hough on the Hill, and where there are current proposals to

extend the boundary. Supporting evidence is provided through the Conservation Area Appraisal¹³. In my view, the policy wording, supported by this evidence, should be sufficient to protect the Conservation Area from development that would alter its existing character.

60. Policy HoH4 specifically relates to the loss of all or part of heritage assets (as defined in the NPPF). Having looked at this policy in association with HoH3, HoH5 and HoH6, there are clearly a number of crossovers between the policies. HoH4 relates to the heritage assets referred to in the other policies. I am satisfied, however, that the other three policies do not specifically refer to loss of assets and therefore a separate policy on this issue is appropriate. Otherwise, the inclusion of loss of assets into each of the other policies would make the policies repetitive.
61. Policy HoH5 is a very specific policy related to protecting the fabric of listed buildings and their settings. A list of the Listed Buildings in the parish is included in the supporting text.
62. Whilst the policy includes a reference to protecting the setting of Listed Buildings it is not made clear whether this includes the curtilage of the buildings. I think a minor change to the wording to include a reference to curtilage will clarify the policy.
63. Policy HoH6 seeks to protect heritage assets that are not listed, but make a positive contribution to the built environment of the parish. It also makes provision for the potential future development of a 'Local List' of heritage assets. Having visited the various settlements in the parish, it is clear to me that there are many buildings that are not listed but make a positive contribution to the local built environment. The inclusion of this policy should help to improve the design of new buildings to complement existing character. It is supported by the Conservation Area Appraisal which identifies a number of these buildings and the evidence provided by Section 4 of the HHNP. This information appears to be thoroughly researched and is well presented in the report.

Table of conformity/compliance – Policies HoH3, HoH4, HoH5 and HoH6

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none"> • These policies are consistent with the historic environment section of the NPPF (Section 12) and the relevant paragraphs it contains (126 to 141). • The issue of loss of heritage assets (HoH4) is specifically dealt with in paragraphs 132 and 133 of the NPPF. • Paragraphs 135 and 139 are particularly relevant to Policy HoH6. • All four policies are also consistent with the Core Principles set out in paragraph 17 in relation to heritage assets.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none"> • The HHNP includes a comprehensive description of the local built environment to support these policies. This, combined with the policies, is consistent with the suggested approach to the historic environment in Neighbourhood Plans, as set out in the NPPG¹⁴.

¹³ Hough on the Hill Conservation Area Appraisal (2014 Draft Review, South Kesteven District Council)

¹⁴ National Planning Practice Guidance – Reference ID 18a-007-20140306.

<p>South Kesteven Core Strategy 2010 (SKCS)</p>	<p>These policies are consistent with the Vision statement and Objectives 1, 11 and 12, included within the SKCS.</p> <ul style="list-style-type: none"> • Policy SP1 of the SKCS relating to the Spatial Strategy has been referenced in the HHNP and its requirements in relation to villages and countryside development have been directly incorporated into the HHNP. The exceptions to policy SP1 have been identified as ‘appropriate uses’ within the Plan and include built environment issues under sub-section F. • Policies HoH3, HoH4, HoH5 and HoH6 are wholly consistent with Policy EN1 of the SKCS. Whilst they are less detailed than EN1, I am satisfied that the detailed assessment of the local area included in the HHNP will enable these policies to be implemented effectively in conjunction with Policy EN1. EN1 contains specific references to historic assets, local distinctiveness, historic character, built fabric and settings.
<p>South Kesteven Sites and Policies Development Plan Document 2014 (SAPDPD)</p>	<ul style="list-style-type: none"> • The SAPDPD was adopted in April 2014 and may have been too late to be included in the Neighbourhood Plan. The SAPDPD includes Policy SAP2, which relates to Rural Exception Affordable Housing. The policy includes a number of criteria, including avoiding impacts on local character and historic assets. Therefore I consider that Policies HoH3, HoH4, HoH5 and HoH6 are consistent with Policy SAP2.

64. **Representations** – English Heritage suggested rewording Policy HoH3. I consider that the addition of the word ‘established’ is not necessary as I consider the terms character and local distinctiveness to be sufficient.
65. English Heritage commented on Policy HoH4 in relation to the loss of heritage assets. I suggest including an additional paragraph immediately before the policy (see paragraph 70 below).
66. English Heritage commented on Policy HoH5 suggesting it is broadened to cover other types of heritage asset and is consistent with the NPPF. Given that other types of heritage assets are covered by policies HoH3 and HOH6, I do not agree that it is necessary to amend this policy as they suggest. There is no specific policy protection for Scheduled Monuments (15th century cross at Gelston green and the motte and bailey at Hough on the Hill), but they are legally protected, and further protected from loss by Policy HoH4 and through paragraphs 126-141 of the NPPF.
67. English Heritage commented on Policy HoH6 suggesting the addition of text in relation to relevant sections in the NPPF. The policy as worded is, in my view, clear and cross-references the NPPF and the two must be considered together. I consider that it is not necessary to repeat NPPF paragraphs in the supporting text to this policy.
68. **Conclusion** – The policies as written are effective and justified, and are consistent with national and local planning policy. The only minor changes I recommend are to include the curtilage of Listed Buildings in Policy HoH5 and add additional supporting text in relation to HoH4.

69. **Recommended amendment –**

‘HoH5: Listed Buildings

New development will be supported where it would improve, restore or maintain the fabric of a listed building.

Development which would have a negative or harmful impact on a listed building, its curtilage or its setting will not be supported unless a clear justification is presented that there would be substantial public benefits which would outweigh the loss or harm to the building.’

70. **Recommended amendment to the explanatory text -**

I recommend the addition of a new paragraph immediately before Policy HoH4 as follows –

‘There will be a presumption in favour of the retention of heritage assets and loss is a last-resort option in most cases. Any development would need to be consistent with paragraphs 126-41 of the NPPF, which include a requirement that complete or partial loss is equivalent to substantial harm and should only be permitted where there are substantial public benefits that outweigh that harm or loss.’

Affordable Housing - Policy HoH7

71. This policy sets out a number of criteria for determining applications for affordable housing in the parish, which may be carried out on ‘rural exception sites’ in accordance with the SKCS and the SAPDPD.
72. I note that the HHNP does not include any detailed assessment of the likely local need for affordable housing, nor does it identify any potential rural exception sites. The only reference is to 5 persons with a local connection seeking 2-bedroom accommodation, in paragraph 27. In my view, the absence of this information somewhat weakens the HHNP. Although this information can be compiled later it would not have the certainty that would be achieved if it was included in a neighbourhood plan that had been approved through a local referendum. I recognise that this is the choice of the Project Team, and in any case, the policy (with my suggested modifications) is acceptable as it stands.
73. Paragraphs 115 and 116 of the HHNP include a number of criteria against which developments for affordable housing should be assessed. I consider that the criteria included in paragraph 116 are critical to future planning decisions on affordable housing and should therefore be incorporated into Policy HoH7 along with the existing criteria. I have therefore suggested amended wording accordingly (see below).

Table of conformity/compliance – Policy HoH7

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none">• The policy is in general conformity with Sections 11 and 12 of the NPPF that relate to the natural and built environment.• The NPPF’s requirements for affordable housing are set out in paragraphs 50 and 54. These require local authorities to identify where affordable housing is needed and allows for rural exception sites to meet local need. The proposed Policy HoH7 is entirely consistent with

	<p>these sections.</p> <ul style="list-style-type: none"> • The policy is also consistent with the core planning principles set out in paragraph 17 of the NPPF.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none"> • The NPPG contains guidance in relation to Rural Housing¹⁵. This advises that housing need should be considered at a strategic level through the neighbourhood plan process. Policy HoH7 does make provision for affordable housing to meet local needs, but that need has not been assessed at this stage of the HHNP. Whilst there is no conflict with the NPPG on this issue, the guidance suggests that ideally need should be assessed and sites allocated.
South Kesteven Core Strategy 2010 (SKCS)	<ul style="list-style-type: none"> • The provision of rural exception affordable housing is supported by sub-section of Policy SP1 of the SKCS. • The focus on new housing in rural areas being restricted to affordable local need housing is consistent with the requirements of Policy H1 of the SKCS. • HoH7 is also consistent with Policy H3 of the SKCS which relates to affordable housing. That policy makes specific reference to rural exception schemes in or adjacent to smaller villages in order to meet a local need.
South Kesteven Sites and Policies Development Plan Document 2014 (SAPDPD)	<ul style="list-style-type: none"> • A further, more detailed policy is included as Policy SAP2 in the SAPDPD. Whilst this does not make specific provision for affordable housing in Hough on the Hill it does set out a number of criteria against which rural exception affordable housing schemes should be judged. These are generally consistent with the bullet points it is proposed to include in HoH7.

74. **Representations** – there were no specific representations on this policy.

75. **Conclusion** – The policy as written is effective and justified, and is consistent with national and local planning policy. I have recommended incorporating the bullet points from paragraph 116 into the policy to ensure that they are fully considered in planning decisions.

76. **Recommended amendments** –

Policy HoH7:

Affordable housing will be supported within the villages where:

- *It meets a defined local need;*
- ~~*It is within the existing built-up or developed parts of the existing villages and settlements of the Parish;*~~

¹⁵ National Planning Practice Guidance – Reference ID 50-001-20140306

- **It is located within the built up part of the village. If no such sites are available consideration may be given to a site adjoining the village, provided that it is demonstrated that all other options have been considered.**
- *It is on a suitable, previously-developed site or, if no previously developed sites are available, it can be clearly demonstrated that there are no other suitable sites available;*
- **It is small-scale, and on a site capable of accommodating only the amount of housing needed.**
- **It avoids areas which are protected because they are important for wildlife, biodiversity, natural, cultural or historic assets.**
- **It avoids sites which are at risk of flooding or which could increase the impact of flooding elsewhere.**
- *It has been designed in accordance with the Neighbourhood Plan Design Guidance; and*
- *It is in accordance with the Character and Built Environment and Green Spaces policies of the Neighbourhood Plan.*

Employment - Policy HoH8

77. This policy seeks to allow appropriate rural diversification within the parish subject to meeting other policies in the HHNP and being on previously developed land or sites containing existing agricultural buildings. I am satisfied that paragraph 119 sets out the types of economic growth that are considered ‘appropriate’ in the wording of the policy. Also paragraph 120 usefully sets out the criteria from Policy SAP4 of the SAPDPD in relation to business development in the countryside.

Table of conformity/compliance – Policy HoH8

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none"> • Policy HoH8 is entirely consistent with paragraph 28 of the NPPF which relates to supporting a prosperous rural economy.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none"> • The NPPG contains no guidance that is specifically relevant to this policy.
South Kesteven Core Strategy 2010 (SKCS)	<ul style="list-style-type: none"> • This policy is consistent with the Vision and Objectives 1, 8, 11 and 12 of the SKCS. • Under Policy E1 of the SKCS, the Council aims to broaden and diversify the employment base by “encouraging appropriate employment, tourist related opportunities and appropriate diversification schemes in rural areas”. The proposed Policy HoH8 is wholly consistent with this policy.

South Kesteven Sites and Policies Development Plan Document 2014 (SAPDPD)	<ul style="list-style-type: none"> Through the supporting text in paragraph 120, the HHNP adopts the criteria from Policy SAP4 of the SAPDPD in relation to business development in the countryside (including rural diversification schemes). The wording of Policy HoH8 is consistent with the SAPDPD.
---------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

78. **Representations** – there were no specific representations on this policy.
79. **Conclusion** – The policy as written is effective and justified, and is consistent with national and local planning policy.
80. **Recommended amendments** – none.

Green Spaces - Policy HoH9

81. This policy designates the area above the 50m contour at Loveden Hill as a Local Green Space under the provisions of paragraphs 76 – 78 of the NPPF. Further evidence to support this policy and the Local Green Space designation is included in Appendix 2 to the HHNP.
82. Having read the evidence provided and visited the site during my site visits, I consider that Loveden Hill is a prominent local feature which has its own character in the landscape and has a long history of settlement. It is clearly a site of local and national historical significance and is valued by the local community. The surrounding area is popular for local walks. Whilst there does not appear to be an immediate threat to the site, it is potentially vulnerable to changes in the surrounding land use and renewable energy schemes such as solar or wind power.
83. I am satisfied that Loveden Hill meets the designation requirements under the NPPF and that adequate publicity and consultation on the proposed designation has been undertaken during the preparation of the HHNP. The chosen boundary, based on the 50m contour, appears to me to provide a reasonable area in order to protect the main hilltop and its associated woodland without significantly restricting agricultural management.

Table of conformity/compliance – Policy HoH9

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none"> The designation of Loveden Hill as Local Green Space is consistent with the provisions of paragraphs 76-78 of the NPPF. Policy HoH9 is consistent with paragraph 76 of the NPPF in that it is clearly valued by the local community, is consistent with local planning of sustainable development, is being designated when a plan is being prepared and is capable of enduring beyond the plan period. In relation to the first bullet point of paragraph 77, the green space is reasonably close to the community as it is only a short walk from the settlement of Gelston. The evidence provided through the HHNP and Appendix 2 convinces me that this area is demonstrably special to the local community and holds a particular local significance in terms of beauty, historic significance,

	<p>recreational value and wildlife.</p> <ul style="list-style-type: none"> • In relation to the third bullet point, I saw on my site visit that Loveden Hill is very local in character and the boundary proposed is not an extensive tract of land. With the fields around the site being open farmland with no field boundaries, the boundary of the proposed designation seems a bit arbitrary, but the use of the 50m contour seems a sensible approach.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none"> • The NPPG contains specific guidance on Local Green Space designation under a section entitled “Open space, sports and recreation facilities, public rights of way and local green space”¹⁶. These paragraphs clarify the processes to be undertaken in the designation of Local Green Space. The process undertaken to identify and propose the designation of Loveden Hill is fully consistent with all the sections in the guidance.
South Kesteven Core Strategy 2010 (SKCS)	<ul style="list-style-type: none"> • The SKCS pre-dated the publication of the Local Green Space provision in the NPPF, so contains no policies on this issue.
South Kesteven Sites and Policies Development Plan Document 2014 (SAPDPD)	<ul style="list-style-type: none"> • The SAPDPD contains no specific policies on this issue.

84. **Representations** – the proposed designation of Loveden Hill as Local Green Space was supported by Natural England and one individual respondent.
85. **Conclusion** – The policy as written is effective and justified, and is consistent with national policy and guidance. Local policy is silent on this issue.
86. **Recommended amendments** – none.

Landscape - Policies HoH10 and HoH11

87. These two closely linked policies relate to protecting and enhancing the landscape character and visual appearance.
88. Policy HoH10 is the main landscape character policy, which aims to ensure new development is appropriate to the landscape character of Hough on the Hill, including its natural, historic and cultural attributes and features. The first part of the policy relates to landscape character, with a specific bullet point in the second paragraph relating to trees and woodlands. The second policy, HoH11, relates much more to maintaining important features of local character and setting, and maintaining the visual appearance of the parish. These are the key aspects of landscape that I consider are relevant to Hough on the Hill. In particular, on my site visit, I noticed the importance of hedgerows, hedgerow trees and small woodlands to the character of the landscape in and around the main settlements. Views into and out of the settlements, and Hough on the Hill village in particular, are also important features. I consider the wording

¹⁶ National Planning Practice Guidance Reference ID 37-005-20140306 to 37-022-20140306

to be effective and the back-up evidence provided by the Landscape Character Assessment will be very valuable in influencing planning decisions in the parish.

89. I am satisfied that the Landscape Character Assessment (LCA) has been developed using a nationally recognised standard which is supported by the Landscape Institute. It provides a comprehensive assessment of the character of the HHNP area and divides the parish into four distinct Parish Character Areas. It also identifies key views into and out of the village that are worthy of retention. As well as considering the physical attributes of the area it also takes on board the views of the local community. It complements LCAs carried out at national, regional and district level and a Historic Landscape Characterisation carried out for South Kesteven District. The LCA has clearly influenced the development of the landscape and built environment policies in the HHNP and will be a very useful document in providing evidence to support decisions made in relation to Policies HoH10 and HoH11 in particular.

Table of conformity/compliance – Policies HoH10 and HoH11

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none"> • These policies are consistent with paragraph 17 of the NPPF, which sets out core planning principles. The key paragraphs of relevance relate to the role of neighbourhood planning, high quality design, the character of different areas and conserving and enhancing the natural environment. • These policies will contribute to meeting the requirement for development to be sustainable under paragraphs 7 and 14. • As stated in the HHNP, they would be consistent with Section 7 of the NPPF requiring good design. In particular they would meet the requirements of paragraph 58 relating to sense of place, local character and visually attractive developments. • The wording is also consistent with the NPPF in relation to Section 11 regarding conserving and enhancing the natural environment. Policies HoH10 and HoH11 are particularly consistent with paragraphs 117 and 118 of the NPPF.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none"> • The preparation of the Landscape Character Assessment and the inclusion of these two policies is wholly consistent with the landscape guidance in the NPPG¹⁷. • Policies HOH10 and HoH11 are consistent with the NPPG in that they take a positive approach to the conservation and enhancement of biodiversity¹⁸.
South Kesteven Core Strategy 2010	<ul style="list-style-type: none"> • These policies are consistent with the Vision statement and Objectives 11 and 12, included within the SKCS.

¹⁷ National Planning Practice Guidance – Reference ID 8-001-20140306.

¹⁸ National Planning Practice Guidance – Reference ID 8-008-20140306.

	<ul style="list-style-type: none"> • Policies HoH10 and HoH11 are wholly consistent with Policy EN1 of the SKCS. Whilst the HHNP policies are less detailed than that in the SKCS, I am satisfied that the detailed assessment of the local area undertaken, including the Landscape Character Assessment, will enable these policies to be implemented effectively in conjunction with Policy EN1.
South Kesteven Site Allocations and Policies Development Plan Document 2014 (SAPDPD)	<ul style="list-style-type: none"> • Policies HoH10 and HoH11 are consistent with Objective 8 of the SAPDPD, which requires allocated sites, amongst other things, to protect and enhance wildlife sites and landscape character. • The same two policies are consistent with Policy SAP2, which requires that rural exception affordable housing in villages such as the settlements in Hough on the Hill parish must have no or limited impact on the character of the village and surrounding landscape.

90. **Representations** – English Heritage commented on Policy HoH11 in relation to heritage assets included in the key views. I am satisfied that the LCA includes a detailed assessment of the historic environment in relation to key views. Whilst English Heritage guidance may be relevant, I consider that it does not need to be referenced in the HHNP.
91. **Conclusion** – The policies are consistent with national and local planning policy and guidance. Policy EN1 of the SKCS already includes a comprehensive list of issues that need to be considered (see paragraph 123 of the HHNP). I consider the wording to be effective and therefore no changes are recommended.
92. **Recommended amendments** – None.

Renewable Energy - Policies HoH12, HoH13 and HoH14

93. These three policies relate to different aspects of renewable and low carbon energy. Paragraph 125 clearly sets out the type of renewable energy covered by the policies, using a list defined in Policy EN3 of the SKCS.
94. Policy HoH12 relates to domestic-scale renewable or low carbon schemes and supports them where they are compatible with the proposed property, subordinate in scale and compatible with other HHNP policies. There are already some such schemes on buildings in the parish and a policy such as this is, in my view, appropriate to ensure that they fully take account of their location and the character of the surrounding area.
95. Policy HoH13 encourages community-scale schemes where there is a positive local benefit and they are in accordance with other policies. Again, this seems a sensible approach to ensuring that location and local character are fully considered.
96. Policy HoH14 encourages energy schemes to support local businesses where they are subordinate to the primary business.
97. Whilst these three policies are generally positive in relation to renewable energy, there is no policy in relation to large scale renewable energy schemes. At the time of my site visit there was a current planning application for 5 large wind turbines within the parish boundary, and the indications were from signage around the parish that there was strong opposition to the

proposals. As the HHNP stands, such schemes could not be assessed against a specific policy. Opposition would need to be based on the scheme not meeting the requirements of any of the three renewable energy policies, and on the more wide-ranging policies relating to the natural and built environment and supported by the LCA. The lack of such a policy does not, in my view, cause any problem with the implementation of the rest of the HHNP, but I consider it is a missed opportunity.

Table of conformity/compliance – Policies HoH12, HoH13 and HoH14

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none"> • The development of renewable energy and the transition to a low carbon future are consistent with one of the core planning principles in paragraph 17 of the NPPF. • All three policies are consistent with paragraph 97 of the NPPF which encourages an increase in the use and supply of renewable and low carbon energy. The HHNP is consistent with the bullet points in paragraph 97 in that they contain a positive strategy, include an assessment of adverse impacts, support community-led initiatives and encourage decentralised energy supply systems.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none"> • These policies are consistent with NPPG guidance on renewable and low carbon energy. In particular, the HHNP provides a positive strategy¹⁹ and encourages community-led initiatives²⁰. The use of criteria-based policies is also consistent with the NPPG²¹.
South Kesteven Core Strategy 2010 (SKCS)	<p>The policies are consistent with Policy EN1 of the SKCS, which is a wide-ranging policy to protect and enhance the character of the District.</p> <ul style="list-style-type: none"> • The policies do not directly relate to all the content of Policy EN3 of the SKCS, but the three policies are clearly compatible with it.
South Kesteven Sites and Policies Development Plan Document 2014 (SAPDPD)	<ul style="list-style-type: none"> • The SAPDPD does not contain a specific policy in relation to renewable and low carbon energy generation.

98. **Representations** – there were no specific representations on this policy.

99. **Conclusion** – The policies as written are effective and justified, and consistent with national and local planning policy and guidance.

100. **Recommended amendments** – none.

¹⁹ National Planning Practice Guidance – Reference ID - 5-003-20140306

²⁰ National Planning Practice Guidance – Reference ID - 5-004-20140306

²¹ National Planning Practice Guidance – Reference ID - 5-007-20140306

Leisure and Recreation - Policy HoH15

101. Policy HoH15 recognises the importance of access to the countryside and public rights of way in particular. On my site visit I found that there was a complex network of both statutory rights of way and permissive paths within the parish and linking the villages together. I did note, however, that at the time of my site visit in December 2014 a number of these paths had been ploughed and were not easily usable. This was particularly the case with paths linking Brandon and Hough on the Hill.
102. Rights of way are subject to separate legislation, but there may be opportunities to incorporate improvements into development schemes, either on-site as part of the scheme itself or off-site through s106 agreements or the Community Infrastructure Levy (CIL).

Table of conformity/compliance – Policy HoH15

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none"> Policy HoH15 is entirely consistent with paragraph 75 of the NPPF, which forms part of Section 8 relating to Promoting Healthy Communities. Both include a pro-active approach to enhancing access to the countryside through new development.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none"> The NPPG contains brief guidance in relation to rights of way²². Policy HoH15 does not conflict with this guidance.
South Kesteven Core Strategy 2010 (SKCS)	<p>Policy HoH15 is consistent with Spatial Objective 10 of the SKCS as it aims to support new and existing community infrastructure including facilities for leisure.</p> <ul style="list-style-type: none"> Policy SP3 of the SKCS makes provision for promoting opportunities for walking and securing them through conditions or planning obligations. Policy SP4 goes further in relation to developer contributions, allowing for the provision of or financial contributions towards infrastructure and community benefits through the Community Infrastructure Levy and planning obligations under S106 of the Town and Country Planning Act 1990. Policy HoH15 is consistent with these policies.
South Kesteven Sites and Policies Development Plan Document 2014 (SAPDPD)	<ul style="list-style-type: none"> The SAPDPD makes provision for the improvement of footpaths in Table 2 relating to infrastructure on page 101. This will support policy HoH15 in the event of new development being proposed within Hough on the Hill Parish.

103. **Representations** – there were no specific representations on this policy.
104. **Conclusion** – The policy as written is effective and justified, and is consistent with national and local planning policy and guidance.
105. **Recommended amendments** – none.

²² National Planning Practice Guidance – Reference ID 37-004-20140306.

Delivery Plan - Policy HoH16

106. This policy is included in order to support the Delivery Strategy that is included as Section 6 of the HHNP. The policy makes provision for the use of s106 agreements or Community Infrastructure Levy (CIL) monies in providing new facilities either on or off site. As a principal part of these facilities would be infrastructure, I consider that the word “infrastructure” should be included in the first paragraph for clarity. I have suggested a wording change below.
107. As it is uncertain whether SKDC will adopt a CIL approach, the second paragraph will be very useful in bringing forward improvements through s106 in the event of CIL not being adopted.

Table of conformity/compliance – Policy HoH16

Policy Document	Neighbourhood Plan Conformity/Compliance
National Planning Policy Framework (NPPF)	<ul style="list-style-type: none">• The use of planning obligations such as those proposed by Policy HoH16 is consistent with paragraphs 203 to 206 of the NPPF. 203 to 206 do not, however include reference to CIL. Paragraph 204 sets out the key tests that have to be met.
National Planning Practice Guidance (NPPG)	<ul style="list-style-type: none">• The NPPG contains guidance on Planning Obligations²³ which is much more detailed than Policy HoH16. There is nothing in HoH16 that conflicts with this guidance.
South Kesteven Core Strategy 2010 (SKCS)	<ul style="list-style-type: none">• Policy HoH16 is wholly consistent with Policy SP4 of the SKCS which relates to developer contributions. SP4 includes provision for both s106 agreement and Community Infrastructure Levy payments towards infrastructure and community benefits.
South Kesteven Sites and Policies Development Plan Document 2014 (SAPDPD)	<ul style="list-style-type: none">• Planning obligations are not specifically addressed in the SAPDPD.

108. **Representations** – The inclusion of the Delivery Strategy was welcomed by Lincolnshire County Council.
109. **Conclusion** – The policy as written is effective and justified, and is consistent with national and local planning policy and guidance.
110. **Recommended amendment -**

“Policy HoH16

*All new development must provide necessary and appropriate **infrastructure and** new facilities on site or contribute to off-site **infrastructure and** facilities as required either by means of planning condition, s.106 or use of Community Infrastructure Levy (CIL) as appropriate.*

If a CIL approach is not adopted by South Kesteven District Council, necessary facilities and infrastructure will be secured by negotiation on a case by case basis.”

²³ National Planning Practice Guidance - Reference ID - 23b-001-20140306

NEIGHBOURHOOD PLANNING DESIGN GUIDANCE

111. This section sets out a series of statements relating to the design of new developments in the parish. I consider that the guidance is very clearly written and covers the main issues addressed through the HHNP policies. It is given policy status in the HHNP through its inclusion in Policies HoH2, HoH7, HoH12, HoH13 and HoH14.
112. The guidance clearly relates to the descriptions of the parish in both the HHNP and the LCA and very much concurs with many of the features I observed on my site visit. The paragraph, in my view, provides the right level of detail by providing a strategic direction for new development without being overly prescriptive.
113. I have no changes to recommend on this section.

DELIVERY STRATEGY

114. This section sets out how the HHNP will influence decisions on planning applications determined by SKDC and the representations submitted by the Parish Council.
115. It then identifies a number of infrastructure requirements for the village that could be met through Section 106 or CIL contributions in the event of significant applications being brought forward in the parish. It is clear that the identified needs have been developed through the public consultation process.
116. Paragraph 138 includes a series of issues and proposed actions that are outside the scope of planning policy. Therefore, they cannot be considered to be part of the Neighbourhood Plan and will operate alongside the HHNP. This seems to me to be a sensible approach as there are clear links between planning and other community issues and it is important that if these have been raised and discussed that they are not lost.
117. I do not intend to address these in any detail, but they seem to be sensible approaches to the issues raised and will operate effectively alongside the HHNP. I cannot see any areas where these Action Plans would impede the implementation of the HHNP.
118. In the final paragraph of the HHNP the Parish Council commits itself to reviewing the HHNP every 5 years. This will help to keep the plan up to date and will help to monitor the success of the HHNP in influencing future development in the area.

APPENDICES

119. Two appendices are attached to the plan:
- Appendix 1 – Landscape Character Assessment
 - Appendix 2 - Proposal for local green space designation of Loveden Hill
120. I have already commented on these in relation to policies HoH9, HoH10 and HoH11 above.

CONCLUSIONS ON BASIC CONDITIONS

121. I have covered all the issues relating to the Basic Conditions in the report above and have come to the conclusion that the HHNP meets all the Basic Conditions and that it is therefore appropriate to make the Neighbourhood Plan. My conclusions on each Basic Condition in turn are as follows.

Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan

122. In examining the Hough on the Hill Parish Neighbourhood Plan I have considered how both the plan preparation process and its content comply with national policy and guidance.

123. The plan preparation process is clearly consistent with the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012, the National Planning Policy Framework and National Planning Practice Guidance. I have considered all other extant national planning policy, but I find none of significance that would have a bearing on the Neighbourhood Plan.

124. The process has been carried out following the required stages and there have been ample opportunities for local people to engage with the process.

125. I have assessed the content of the HHNP including both supporting information and the proposed policies. I have found these, subject to a few minor amendments, to be consistent with the NPPF and NPPG.

126. I conclude that this Basic Condition has been met in full and that it is therefore appropriate to make this Neighbourhood Plan.

The making of the neighbourhood plan contributes to the achievement of sustainable development

127. In my assessment I have referred to the fact that the HHNP has adopted the definition of sustainable development set out within the NPPF. I consider that the HHNP has taken a balanced approach to meeting the economic, social and environmental needs of the area and has taken a long term approach.

128. By including the proposed policies relating to the natural and built environment in particular, I consider that if development is to take place in the parish it is likely to be carried out in a sustainable manner.

129. Therefore I consider that the HHNP is fully consistent with this Basic Condition.

The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

130. I have assessed the HHNP against both the South Kesteven Core Strategy and the Site Allocations and Policies Development Plan Document and have found the supporting text and policies to be in general conformity.

131. With the Core Strategy pre-dating the NPPF I have also had to consider the extent to which Core Strategy policies are consistent with the NPPF and give them weight accordingly. I have

found no significant areas of conflict between policies in those topics included in the SKCS and the HHNP.

132. Even though the SAPDPD was published after the HHNP, I have not found any areas of conflict between the policies of these two documents.

133. Therefore, in relation to this Basic Condition I consider that the requirements are met.

The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations

134. The Steering Group has met its obligations under the SEA Directive by seeking a Screening Opinion from the District Council. I am satisfied that the process carried out complies with the regulations and that the decision that no strategic environmental assessment is required is a reasonable one.

135. As far as the Habitats Directive is concerned, there are no European protected sites within 20km of Hough on the Hill, so it is reasonable to conclude that a Habitats Regulations Assessment is not required.

136. Although I have not raised any issues relating to human rights above, I have seen nothing in the HHNP that would give me any cause for concern. There has been plenty of opportunity for individuals and organisations to engage with the plan preparation process and to ensure their interests have been covered.

137. I conclude, therefore, that the HHNP meets this Basic Condition and is consistent with the necessary requirements of EU obligations and the European Court of Human Rights.

REFERENDUM

138. I recommend to South Kesteven District Council that, subject to the modifications proposed, the **Hough on the Hill Parish Neighbourhood Plan should proceed to a Referendum.**

139. I am required to consider whether the Referendum Area should be extended beyond the Hough on the Hill Parish Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the HHNP should proceed to a Referendum based on the Hough on the Hill Parish Neighbourhood Area as approved by South Kesteven District Council in February 2013.

Colin Blundel BSc MSc DipTP MRTPI
Trevor Roberts Associates
20 January 2015

APPENDIX 1 - SUMMARY TABLE OF RECOMMENDED AMENDMENTS

Policy or Section	Recommended Amendment
Paragraph 16	Reference should be made at Paragraph 16 to the Grade II* listed chapel at Brandon.
Paragraph 17	At paragraph 17, reference should be to 'scheduled monuments' not 'scheduled ancient monuments' as per 1(11) Ancient Monuments and Archaeological Areas Act 1979. This convention should be applied throughout the Plan.
First objective in paragraphs 55 and 102	<i>Change wording to - 'Promoting sensitive development which protects and enriches the landscape and built setting of the Parish of the Parish and protects and enhances the built and historic environment of its settlements and their setting.'</i>
Policy HoH1	<p><i>Policy HoH1:</i></p> <p><i>New development for 'appropriate uses' (see paras 105 and 106 above), which are in accordance with the other policies of this plan, will be supported where it can be demonstrated that opportunities to enrich the landscape and built <u>environment</u> setting of the Parish <u>and its setting</u> have been incorporated.</i></p> <p><i>Locally important features and characteristics against which any development will be assessed are clearly defined in this Neighbourhood Plan and its evidence base and development which appropriately responds to these will be supported.</i></p>
Add explanatory text immediately before Policy HoH4	<i>'There will be a presumption in favour of the retention of heritage assets and loss is a last-resort option in most cases. Any development would need to be consistent with paragraphs 126-41 of the NPPF, which include a requirement that complete or partial loss is equivalent to substantial harm and should only be permitted where there are substantial public benefits that outweigh that harm or loss.'</i>
Policy HoH5	<p><i>HoH5: Listed Buildings</i></p> <p><i>New development will be supported where it would improve, restore or maintain the fabric of a listed building.</i></p> <p><i>Development which would have a negative or harmful impact on a listed building, <u>its curtilage</u> or its setting will not be supported unless a clear justification is presented that there would be substantial public benefits which would outweigh the loss or harm to the building.</i></p>

<p>Policy HoH7</p>	<p>Policy HoH7:</p> <p>Affordable housing will be supported within the villages where:</p> <ul style="list-style-type: none"> • It meets a defined local need; • It is within the existing built-up or developed parts of the existing villages and settlements of the Parish; • <u>It is located within the built up part of the village. If no such sites are available consideration may be given to a site adjoining the village, provided that it is demonstrated that all other options have been considered.</u> • It is on a suitable, previously-developed site or, if no previously developed sites are available, it can be clearly demonstrated that there are no other suitable sites available; • <u>It is small-scale, and on a site capable of accommodating only the amount of housing needed.</u> • <u>It avoids areas which are protected because they are important for wildlife, biodiversity, natural, cultural or historic assets.</u> • <u>It avoids sites which are at risk of flooding or which could increase the impact of flooding elsewhere.</u> • It has been designed in accordance with the Neighbourhood Plan Design Guidance; and <p>It is in accordance with the Character and Built Environment and Green Spaces policies of the Neighbourhood Plan.</p>
<p>Policy HoH16</p>	<p>Policy HoH16:</p> <p>All new development must provide necessary and appropriate <u>infrastructure and</u> new facilities on site or contribute to off-site <u>infrastructure and</u> facilities as required either by means of planning condition, s.106 or use of Community Infrastructure Levy (CIL) as appropriate.</p> <p>If a CIL approach is not adopted by South Kesteven District Council, necessary facilities and infrastructure will be secured by negotiation on a case by case basis.</p>