



## **SKILLINGTON NEIGHBOURHOOD DEVELOPMENT PLAN**

### **INDEPENDENT EXAMINERS REPORT TO SOUTH KESTIVEN DISTRICT COUNCIL**

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**31 May 2017**

## CONTENTS

	<b>Page</b>
<b>1.0 Introduction</b>	<b>3</b>
<b>2.0 Role of the Independent Examiner</b>	<b>4</b>
<b>3.0 The Neighbourhood Plan Area</b>	<b>6</b>
<b>4.0 Consideration of the Basic Conditions</b>	<b>6</b>
<b>5.0 Regard to National Planning Policy and Guidance</b>	<b>9</b>
<b>6.0 Contribution to Sustainable Development</b>	<b>11</b>
<b>7.0 Conformity with the Strategic Policies of the Local Area</b>	<b>12</b>
<b>8.0 Conformity with European Union Obligations</b>	<b>13</b>
<b>9.0 Background Documents and information considered</b>	<b>15</b>
<b>10.0 Evidence Base and Public Consultation</b>	<b>15</b>
<b>11.0 Vision and Objectives</b>	<b>17</b>
<b>12.0 Neighbourhood Plan Policies:</b>	
<b>Policy 1 Residential Development in Skillington</b>	<b>18</b>
<b>13.0 Policy 2 Affordable Housing on Rural Exception Sites</b>	<b>19</b>
<b>14.0 Policy 3 The Local Economy</b>	<b>20</b>
<b>15.0 Policy 4 Local Services and Community Facilities</b>	<b>20</b>
<b>16.0 Policy 5 Local Green Space</b>	<b>20</b>
<b>17.0 Policy 6 Public Footpaths</b>	<b>21</b>
<b>18.0 Policy 7 Conservation Area</b>	<b>21</b>
<b>19.0 Policy 8 Conservation Area Design Guidance and Management</b>	<b>22</b>
<b>20.0 Policy 9 Open Countryside</b>	<b>22</b>
<b>21.0 Summary and Recommendation</b>	<b>23</b>

## **1.0 Introduction: Preparation of plan, legislative background and summary of findings**

1.1 Neighbourhood Planning was introduced in the Localism Act 2011. It allows local communities to prepare plans and allocate sites for housing and other uses in their own neighbourhood. The Plan once approved will guide future development and become part of the Development Framework for South Kesteven District Council (SKDC) and will be taken into account when considering future development proposals.

1.2 The Neighbourhood Development Plan (the Plan) has been developed by a steering group of local residents reporting to Skillington Parish Council. Planning consultant Bob Keith and South Kesteven District Council have assisted the process. ***Where modifications are recommended in this document they are highlighted in bold and italics.***

1.3 The Plan document is well written and generally clearly presented. It has two maps in the Appendix. The first identifies the proposed Green Spaces. The second identifies Key Views, the Conservation Area boundary and positive Unlisted buildings. ***I recommend that the title of Appendix 2 is changed to Conservation Area, Key Views and Key Features. It would be helpful to have this at a larger scale.*** The Appendices also feature a number of photographs to illustrate key views and sights. Further appendices outline the Listed and positive unlisted buildings in the Plan area.

1.4 The Plan format begins with an introduction which provides a brief background to Neighbourhood Plans and the Parish followed by sections on the national and local planning context and the Neighbourhood Plan area. ***In paragraph 1.2 line 3 insert “subject to the outcome of the Referendum” after “statutory planning framework for the area”. The Plan showing the Neighbourhood Plan area on Page 6 is of poor quality and consideration should be given to replacing it with the Plan in Appendix 1 of the Basic***

**Conditions Statement.** *In paragraph 2.2 insert at the start of the first bullet point “the neighbourhood plan has regard...”. In paragraph 2.13 delete “April 2017” and replace with “early 2019”.* A profile of the area and its history is followed by sections on the conservation area and an outline of the community engagement. The Neighbourhood Plan Vision and Objectives are outlined in section six followed by sections providing details of the Policies that are proposed. The Plan includes nine policies. These are land use planning policies. At the end of the document the Monitoring and Review proposals are outlined.

1.5 Having carried out the examination, for the reasons set out below **and subject to all the modifications of this examination report being accepted**, I consider that the Plan meets the basic conditions in terms of:

- having appropriate regard to national planning policy
- contributing to the achievement of sustainable development
- being in general conformity with the strategic policies in the development plan for the local area
- being compatible with human rights requirements
- being compatible with European Union obligations

1.6 If the Plan becomes subject of a referendum and achieves more than 50% of votes in favour, then the Plan would be “made”. The Plan would then be used to guide and determine planning decisions in Skillington Parish by South Kesteven District Council (SKDC).

## **2.0 Role of the Independent Examiner**

2.1 I was appointed by South Kesteven District Council in April 2017, with the agreement of the Skillington Parish Council to conduct this examination. The role is known as Independent Examiner.

2.2 Under the terms of the NP legislation I am required to make one of three determinations:

- The Plan should go forward to referendum because it meets all the legal requirements, “the Basic Conditions”
- The Plan as modified should proceed to Referendum
- The Plan should not proceed to Referendum because it does not meet all the legal requirements

2.3 In making my recommendation I must also determine whether the referendum should involve a wider area than the boundary of the Skillington Neighbourhood Plan boundary, whether the Plan area has been appropriately designated and whether the Plan specifies the time period to which it relates. The Plan must not include any provision that is about excluded development.

2.4 I am a Chartered Town Planner with 40 years’ experience working in senior roles in Local Government, regeneration agencies and the private sector. I am independent of South Kesteven District Council and Skillington Parish Council. I am independent of residents and stakeholders in the area and have no interest in any of the land within the Neighbourhood Plan area. I am a member of the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) and have carried out the independent examination of thirteen Neighbourhood Plans in various parts of the country.

### **The Examination Process**

2.5 The general presumption is that most Neighbourhood Plans will be considered through written evidence. South Kesteven District Council has indicated that in their opinion no public hearing will be necessary for the Neighbourhood Plan and that the examination should consider written evidence only. An Examiner can ask for a public hearing if it is considered that certain aspects need to be more fully explored or to allow individuals to outline their case more fully. In view of the lack of residential site allocations

and the relatively straight forward nature of the plan proposals and the fact that there have been few representations through the recent consultation period I have informed the Local Authority that no public hearing is required. I consider that I am able to make a recommendation based on the extensive evidence that has been provided.

### **3.0 The Neighbourhood Plan Area**

3.1 The Neighbourhood Plan area consists of the whole of the Parish of Skillington which is situated 8.5 miles south of Grantham and 14 miles north of Stamford. It is a historic village which is mentioned in the Domesday Book. It is a predominantly rural and agricultural Parish in open countryside with the village of Skillington being the only settlement. It is situated in the Kesteven Uplands Landscape Area and is characterised by historic woodland and fields enclosed by hedgerows.

3.2 Skillington Parish had a population of 345 according to the 2011 census. There are many fine buildings in the Plan area including the Grade I listed Church of St. James and 12 Grade II listed buildings. Most of the village was designated a Conservation area in 1990. Skillington is classed as a Small Settlement by SKDC and as such does not have the wide range of community facilities available in the Local Service Centres such as the nearby Colsterworth and Woolsthorpe. Although it does not have a school or shop, it does have a village hall and playing fields, places of worship and two public houses. There is little employment within the Plan area, with many residents travelling to Grantham, Bourne or Stamford with some commuting to London.

### **4.0 Consideration of the Basic Conditions**

4.1 There are a number of basic conditions that the Skillington Neighbourhood Plan must meet in order for it to go forward to a Referendum.

These are set out in the Neighbourhood Planning (General) Regulations 2012 and paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011).

4.2 Paragraph 8 sets out the requirements for Neighbourhood Plans to meet these **“Basic Conditions”**, before they may come into force.

Neighbourhood Plans must:

- have appropriate regard for national policies and guidance issued by the Secretary of State
- contribute towards the achievement of sustainable development
- be in general conformity with the strategic policies of the development plan for the local area
- be compatible with European Union (EU) and European Convention on human rights requirements (ECHR)

I have examined the Neighbourhood Plan against all the basic conditions above. I have been assisted by a Neighbourhood Plan Basic Conditions Statement, published in February 2017, that has been prepared by the Neighbourhood Plan Steering group. This identifies how each of the Policies in the Plan support key principles of the NPPF and Planning Guidance and are in line with SKDC policies.

### **Qualifying Body and Neighbourhood Area Designation**

4.3 On 7 April 2015 Skillington Parish Council submitted an application for the designation of Skillington Parish as a Neighbourhood Planning Area to South Kesteven District Council as the relevant Planning Authority.

4.4 The application for designation as a Neighbourhood Area was advertised in accordance with the regulations for a six-week consultation. The application was published on the Council and Parish Council website and was available at various locations throughout the Parish. A public notice was placed in the local press and local parish councils were notified. There were no responses received during the consultation.

4.5 The Council assessed that there was no overlap with any other proposed neighbourhood plan area and that the proposed boundary did not overlap with any adjoining parish or designated area.

4.6 The Council considered that the Parish Council satisfied the conditions required for a Qualifying Body and Neighbourhood Forum for the purposes of Section 61G of the 1990 Town and Country Planning Act and the Skillington Neighbourhood Area was approved on 17 June 2015.

4.7 I am satisfied that the Skillington Neighbourhood Development Plan meets the basic condition of having a suitable Qualifying Body, a relevant body in accordance with section 61G of the 1990 Town and Country Planning Act, the Skillington Parish Council.

#### **Basic condition: Neighbourhood Plan Area**

4.8 I am satisfied that the Skillington Neighbourhood Plan meets the basic condition of having a suitable Neighbourhood Plan Area designated as outlined in Section 5 of Part 2 of the Neighbourhood Planning (General) Regulations 2012.

4.9 I am also satisfied that the Skillington Neighbourhood Plan does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this neighbourhood area.

4.10 The Skillington Neighbourhood Plan provides a clear indication of its timeframe and will cover the period 2017 – 2031. This timeframe goes beyond the SKDC Adopted Core Strategy which goes up to 2026.

4.11 I am, therefore, satisfied that the Plan meets the Basic Condition relating to the specific timeframe of the Plan period.



4.12 The Basic Conditions Statement confirms that the Plan does not deal with County matters, any nationally significant infrastructure or any other matters set out in S61K of the Town and Country Planning Act 1990.

## **5.0 Regard to the National Planning Policies and Guidance and the National Planning Policy Framework**

5.1 In carrying out the examination of the Proposed Plan, and deciding whether to recommend that it should be submitted to a referendum, I am required to have regard to national policies and advice contained in guidance issued by the Secretary of State. The Plan needs to meet all of them. The Neighbourhood Plan must meet the basic condition of having regard to national and local planning policies.

5.2 I, therefore, considered the Skillington Neighbourhood Plan in line with National Planning Policy and Guidance, the South Kesteven District Council Core Strategy Development Plan adopted in July 2010, the Site Allocations and Policies DPD adopted in April 2014, the Strategic Housing Land Availability Assessment 2015 and various SKDC Council Strategies including the Sites and Settlements consultation July 2016.

5.3 The Basic Conditions Statement outlines the key relevant strategic policies from the Core Strategy. In the section on Policies I will outline my view on whether the Plan can demonstrate that it supports these policies and recommend modifications where necessary.

### **National Planning Policy Framework (NPPF) (2012) and Planning Practice Guidance (2014)**

5.4 The most significant piece of guidance is the National Planning Policy Framework (NPPF) issued in March 2012. Paragraphs 183 -185 outline the Governments view on Neighbourhood Plans. Government consider that

neighbourhood planning gives direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need and ...neighbourhood forums can use neighbourhood planning to set planning policies through neighbourhood plans to determine decisions on planning applications.

5.5 Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood needs to be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Provided that neighbourhood plans do not promote less development than set out in the relevant Development Plans or undermine the strategic policies, neighbourhood plans may shape and direct sustainable development in their area.

5.6 More detailed guidance and advice which expands on the general policies in the NPPF has been available since March 2014. This confirms that Neighbourhood Plans should be clear, concise, and unambiguous and supported by appropriate evidence.

5.7 I am satisfied, that the Plan has adequate regard to the policies in the NPPF and Planning Guidance. In reaching this opinion I have been assisted by the Basic Conditions Statement.

5.8 The Basic Conditions statement outlines how the Skillington Neighbourhood Plan objectives contribute positively to a number of the core planning principles that underpin the NPPF. Subject to the modifications that I recommend being accepted I consider the Plan will contribute positively to the following NPPF priorities: promoting good design; conserving and enhancing the natural environment; delivering a wide choice of homes; building a strong, competitive economy and promoting healthy communities.

5.9 I consider that the Plan will provide a framework for future development and has evolved through extensive consultation with residents and relevant organisations and agencies.

## **6.0 Contribution to Sustainable Development**

6.1 The United Nations General assembly defined sustainable development as “meeting the needs of the present without compromising the ability of future generations to meet their own needs” (Resolution 42/187).

6.2 The NPPF outlines the Government view in paragraphs 6 and 7. The purpose of the Planning system is to contribute to the achievement of sustainable development. There are three aspects of sustainability, namely economic, social and environmental.

6.3 The SKDC Core Strategy adopted a positive approach in seeking to provide a clear framework to guide sustainable growth and the management of change, thereby following the Government’s presumption in favour of sustainable development.

6.4 The Neighbourhood Plan Basic Conditions Statement provides details of how the objectives and policies contained in the Skillington Plan support the principle of sustainable development. It demonstrates that the strategic objectives of the Plan cover social, economic and environmental aspects. I accept that the housing policies will contribute to ensuring a sustainable future for the Plan area. Policies supporting appropriate commercial development will contribute to building a strong, responsive economy. I agree that the proposals to designate green spaces will have community value and contribute to building strong, vibrant and healthy communities. The Plan recognises the value of the rural nature of the area and seeks to protect it. The policies regarding views and vistas, local heritage assets and the

conservation area will contribute to protecting and enhancing the natural, built and historic environment.

6.5 I consider, therefore, that the development that will be encouraged through the policies and proposals in the Plan should deliver sustainable development within Skillington Parish.

## **7.0 Conformity with the Strategic Policies of the Local Area**

7.1 In carrying out the examination of the Proposed Plan, I am required to consider whether it is in general conformity with the strategic policies contained in the development plan for the area (basic condition (e)). The Neighbourhood Plan Basic Conditions statement confirms that the Plan has been prepared in general conformity with the strategic policies of the Development Plan. This has been confirmed by the Council. SKDC in its adopted Core Strategy has an extensive vision for the future of the District that seeks that by 2026 “South Kesteven will become a successful rural district supported by excellent social and transport infrastructure.... Rural communities will have remained viable by achieving development that supports their needs.....celebrating the districts countryside and heritage”.

7.2 The District Council vision for places like Skillington is to have diverse and thriving communities where planned and carefully managed development will have taken place to ensure that sufficient jobs and homes are provided for local people.

7.3 In section six on page 24 the Vision and Objectives for the Neighbourhood Plan are outlined. They are in line with the SKDC vision for the District. The vision for Skillington is that by 2031 “it will be an attractive and tranquil village, which has a strong and balanced community that looks after its historical buildings and surroundings”. There are five Objectives that explain how the vision will be delivered. These objectives will be delivered through the Policies and Proposals within the plan.

7.4 Having reviewed the Plan I consider that the Neighbourhood Plan will contribute positively to the achievement of a number of the strategic objectives. It should be noted that some of the objectives in the Core strategy are not relevant to the Plan area.

7.5 I am satisfied, therefore, that the Skillington Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority, the adopted South Kesteven District Council Core Strategy.

## **8.0 European Union (EU) obligations, Habitat and Human Rights requirements**

8.1 A Neighbourhood Plan must be compatible with EU regulations in order to be legally compliant. There is no legal requirement for a Neighbourhood Plan to include a sustainability appraisal. However, in some limited cases where the Plan may have significant environmental effects it may require a Strategic Environmental Assessment. The Strategic Environmental Assessment (SEA) Directive seeks to provide high level protection of the environment by integrating environmental considerations into the processing of plans.

8.2 It is good practice for the local authority to undertake a screening assessment to decide whether any of the proposals of the Plan are significant enough for the Plan to require a full SEA. If a screening exercise identifies significant effects an environmental report must be prepared. An initial SEA and Habitat Regulation Act screening exercise was carried out by SKDC to establish whether a full SEA was required. Historic England, the Environment Agency and Natural England were consulted as part of the process and all concluded that no SEA would be necessary.

8.3 The SEA and HRA screening report published on 21 December 2016 concluded that: “the Skillington Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to SEA.” The main reasons for this conclusion were that the Plan supported the implementation of policies in the adopted SKDC Core Strategy which had already been subject to a SEA and assessed as having no significant environmental effects. It considered that the Plan seeks to avoid or minimise negative environmental effects through the provision of guidance on issues which should be considered when making proposals within the Plan Area. It considered that as a lower tier plan it would have limited effect on other plans or programmes and is unlikely to have environmental effects. It identified that it does not propose development allocations and has no scope to influence development outside the area. Although some new housing will be supported it was not considered that it would give rise to significant levels of development above that permitted by the Core Strategy. It could have an indirect positive effect by setting out how developers could avoid adverse environmental effects. It also confirmed that there are no internationally designated wildlife sites within the Neighbourhood Area. There is one Special Area of Conservation (SAC) and one Special Protection Area (SPA) within 20km of it but the Plan will not have an adverse effect on the integrity of the internationally designated sites either on its own or in combination with other plans and did not need to be subject to a Habitats Regulations Assessment.

8.4 I agree with the conclusions that were reached.

8.5 None of those who submitted written representations have drawn attention to any other relevant EU obligation that I should take into account in my examination of the Proposed Plan. Taking all of the above into account I am satisfied that the Neighbourhood Plan has regard to the rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.

## **9.0 Background documents and Information considered**

9.1 In order to examine and reach conclusions on the Neighbourhood Plan Proposals I have considered the following documents:

- South Kesteven District Council Core Strategy to 2026 (adopted 2010)
- Site Allocations and Policies Development Plan Document April 2014
- Strategic Housing Land Availability Assessment 2015
- Landscape Character Assessment
- Sites and Settlements Consultation July 2016
- Town and Country Planning Act 1990 (as amended)
- National Planning Policy Framework (NPPF) (2011)
- The Localism Act (2012)
- The Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance
- Lincolnshire Core Strategy and Development Management Policies June 2016
- Skillington Conservation Area Appraisal and Management Plan 2016
- The detailed consultation responses to the consultation

9.2 Eight organisations made representations during the final formal Regulation 16 consultation period, all of which I have considered. The comments were minor in nature. There were no representations by residents or local landowners at this stage.

9.3 In addition, I visited the area unaccompanied for one day in May 2017 and explored the various sites and locations referred to in the Plan.

## **10.0 Evidence Base and Consultation**

10.1 One of the most important principles in the Neighbourhood Planning Regulations 2012 is that local communities must be given ample opportunity to help to shape the future of their area. Successful consultation will ensure

that the views and priorities of the community are reflected in the Plan and the likelihood of a successful referendum vote increased. Section 15 (1) (b) of the Neighbourhood Planning Regulations 2012 requires a Consultation Statement to be produced and submitted with the Neighbourhood Plan.

10.2 Section 15 (2) specifies that this must contain: details of the persons or bodies that were consulted about the proposed Neighbourhood Plan. It must explain how they were consulted and summarise the main issues and concerns raised by the persons consulted. Furthermore, it must describe how these issues have been considered and, where relevant, addressed in the proposed Neighbourhood Development Plan. I am satisfied that the Consultation Statement, published in February 2017, that was provided to the District Council, meets the requirements of the regulations.

10.3 A Steering Group of residents was established in early 2015. This group led the consultation process over a two-year period under the guidance of the Parish Council. Detailed information regarding the public consultation that took place in preparation of the Plan has been provided in the Consultation Statement. The report provides a timeline of the consultation process. It shows that initial consultation and evidence gathering took place in November 2014 with a questionnaire to each household. A meeting in the village hall in late January 2015 led to the formation of the steering group. In June 2015, a further questionnaire was delivered and generated 48 completed forms, representing 31% of all families. Further extensive consultation took place with residents, businesses and stakeholders at the key stages of Plan development in a variety of forms and locations. It is clear that events were well publicised and many people took the opportunity to participate.

10.4 A Draft Plan was prepared and subject to formal Regulation 14 public consultation between September 16 and November 7, 2016. It was widely publicised with a copy on the Parish Council web site and available at various locations, with a leaflet distributed to each household, posters and public



notices, and letters sent to statutory bodies, utility companies, local organisations, other Parish Councils and land owners. There were three open events. This produced 29 responses which were broadly favourable. There is a detailed audit trail showing how the Plan was changed to incorporate the suggestions. This included the deletion of two potential Local Green Space designations. I do not consider that any significant issues raised were not addressed.

10.5 The final version of the Plan was subject to Regulation 16 consultation which took place between November 25, 2016 and January 13, 2017. There were eight responses, all of which I have considered.

10.6 I am satisfied that considerable consultation has taken place throughout the various phases of the Plan development and that the Plan has received the overwhelming support from respondents. Where concerns have been raised it is clear that steps have been taken to respond positively to the comments.

10.7 I am satisfied, therefore, that the Neighbourhood Plan Consultation statement, meets the basic condition regarding consultation and complies with Section 15 (2) of part 5 of the 2012 Neighbourhood Planning Regulations.

## **11.0 The Skillington Neighbourhood Plan Vision and Objectives**

11.1 The Skillington Neighbourhood Plan has a clear vision for the future of the area. The vision is that by 2031 Skillington will be: “An attractive and tranquil village, which has a strong and balanced community that looks after its historical buildings and surroundings”.

11.2 The Plan outlines how the vision will be realised through five objectives that have been derived through the consultation process. The objectives relate to supporting appropriate and affordable residential development in the

village; supporting a prosperous local economy; retaining and improving local services and community facilities; protecting and enhancing the Skillington Conservation Area and conserving and managing the surrounding Kesteven Uplands landscape.

11.3 The objectives are clearly written and aspirational. The Policies that follow flow from these objectives. Each Policy includes a statement which provides the local context, an indication of what the Policy is intended to achieve. There are a number of boxes outlining relevant sections of the SKDC Core Strategy.

## **12.0 Skillington Neighbourhood Plan Policies**

12.1 The Skillington Neighbourhood Plan Policies begin in Section seven on page 25. There is a section providing details of the local Planning context. The SKDC Core Strategy seeks to support development that maintains and enhances the role of the more sustainable rural communities identified as Local Service Centres and restricts development in the “Smaller Villages.” The Council will seek to encourage all settlements and their Local Communities to consider the positive benefits that growth and development can bring to their local area. The Policy approach of the Neighbourhood Plan is in line with NPPF and the emerging SKDC Policy.

12.2 The Plan confirms that SKDC has an identifiable housing land supply of over five years and recent planning applications for new residential development have been refused.

12.3 SKDC is in the process of preparing a new Local Plan that will guide decisions until 2036. SKDC has acknowledged that its previous approach to restrict development in the smaller settlements has perhaps been too restrictive and thus may allow infill and brownfield development in suitable locations in future.

#### **12.4 Policy 1: Residential Development in Skillington**

12.5 The first two Policies relate to Objective 1 supporting appropriate residential development. The Plan does not make any specific new site allocations for residential development. This is because in the Core Strategy hierarchy Skillington is regarded as a “smaller settlement” in the hinterland of Colsterworth and Woolsthorpe and is not considered a suitable location for new development and new development will be restricted. Policy 1 proposes, however, that residential development will be supported subject to a number of conditions. This reflects the emerging Local Plan proposals and is a positive land use policy. It is in line with one of the core principles of the NPPF, namely delivery of a wide choice of high quality homes. The Policy supports conversion of redundant or disused buildings but limits development to fewer than three houses. The NPPF outlines that Plans should always seek to secure “high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. The NPPF also states that Plans should take account of “the different roles and character of different areas ... recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it”. The Policy is also in line with the SKDC Core Strategy.

**12.6 Recommendation:** The Policy provides a clear context for future development. I do not recommend any changes to this Policy.

#### **13.0 Policy 2 Affordable Housing on Rural Exception sites**

13.1 Skillington has not been identified as an area of search for rural exception sites by SKDC. However, the Core strategy accepts that rural exception sites may be acceptable in villages like Skillington subject to certain conditions. This Policy supports the development of small scale affordable housing development outside the existing settlement to meet local need and prioritised for those with a local connection. It would need to be appropriate to its surroundings and preserve the character and appearance of the

Conservation Area. Such development could help the sustainability of the Plan area.

13.2 **Recommendation:** The Policy provides a clear context for future development. I do not recommend any changes to this Policy.

#### 14.0 **Policy 3 The Local Economy**

14.1 Policy 3 relates to Objective 2 regarding supporting a prosperous local economy. ***For consistency purposes, I recommend that a coloured heading box outlining Objective 2 is inserted before paragraph 7.48.***

14.2 Although historically many residents worked locally in agriculture there are now only three working farms and most people either commute or work from home. Policy 3 is a positive land use Policy that seeks to build on local and national policies by supporting proposals for economic development subject to certain conditions.

14.3 **Recommendation:** I do not recommend any changes to this Policy.

#### 15.0 **Policy 4 Local Services and Community Facilities**

15.1 There are three Policies relating to Objective 3 which seek to retain and improve local services and community facilities. There are few facilities in Skillington. The Plan recognises the importance of retaining, protecting, and where possible, enhancing the existing range of community facilities and services. Policy 4 supports the expansion of existing services providing it does not have significant harmful effects. It proposes that the loss of local services or facilities will only be supported in certain circumstances where it is surplus, no longer viable, or where the loss will be offset by equivalent or better provision. This is a positive land use policy in line with the NPPF and the SKDC Core Strategy.

15.2 **Recommendation:** I do not recommend any changes to this Policy.

#### 16.0 **Policy 5 Local Green Space.**

16.1 The NPPF enables local communities to identify green areas of local significance for special protection. Paragraph 76 states that by designating areas as Local Green Space “local communities will be able to rule out development other than in very special circumstances”. The Framework indicates that Local Green Space designation will not be appropriate for most green areas or open space. It is essential, therefore, that it meets the key justification criteria of being not extensive tracts of land, being of local significance and in reasonable proximity to the community it serves.

16.2 The Plan Policy considers that there are two well used green spaces within the area that are highly valued and provide significant community benefit. These are The Green and The Square, both of which are small in scale. I recognise that two further potential sites were withdrawn following objections during the consultation process. Having visited the site I consider that both the sites are located close to the communities that they serve and are well used. Both sites are located within the Conservation Area but SKDC have made no objection to either of these being designated Local Green Spaces.

16.3 **Recommendation:** I do not recommend any changes to this Policy.

#### 17.0 **Policy 6 Public Footpaths**

17.1 This is a positive Policy in line with the NPPF and the SKDC Core Strategy. It supports proposals to improve or extend the existing network of public footpaths. ***The title of Policy 6 should be “Public Rights of Way”. In paragraph 7.74 delete “National Trail” and replace with “Regional long distance path”.***

17.2 **Recommendation:** I do not recommend any further changes to this Policy.

#### 18.0 **Policy 7 Conservation Area**

18.1 There are two Policies relating to the Objective 4 which seeks to protect and enhance the Skillington Conservation Area. The introduction

draws heavily on SKDC's Conservation Area appraisal published in 2016. The Plan area contains a significant number of buildings and features of historic interest, with one Grade 1 and 12 Grade II listed buildings, along with a number of unlisted buildings that make a positive contribution to the area and other features of historic interest. The Policy seeks to ensure that any development preserves or enhances the Conservation Area. It confirms that it will support appropriate proposals. This is a positive land use policy that seeks to preserve and enhance the heritage assets. It is in line with the Core Strategy and NPPF. ***The third paragraph of the recommendation should read: "The location of the important areas of open space is indicated in Appendix 1, the important views and vistas and the Positive Unlisted buildings of architectural or historic interest is included in Appendix 2."***

18.2 **Recommendation:** I do not recommend any further changes to this Policy.

#### 19.0 **Policy 8 Conservation Area Design Guidance and Management**

19.1 This Policy draws on the 2016 SKDC Conservation Area Appraisal and Management Plan which found that the biggest threat to the area's character is insensitive piecemeal changes rather than new development. The Policy seeks to support and supplement the proposals in the Management Plan. It proposes the production of Design Guidance that will address the issues raised in the Management Plan. The Policy recognises that the Parish Council will need to work closely with SKDC and LCC to produce this guidance. This is a positive land use policy.

19.2 **Recommendation:** I do not recommend any changes to this Policy.

#### 20.0 **Policy 9 Open Countryside**

20.1 There is one Policy relating to Objective 5 which seeks to conserve and manage the surrounding open countryside. It is a positive land use Policy that is in line with the NPPF paragraph 55 and Policy EN 1 of the Core Strategy.

The Policy specifies the type of development in the open countryside that will be supported. All of the categories identified are appropriate. The Policy also outlines that it will support development that preserves or enhances valued local features. All of the categories are appropriate.

20.2 **Recommendation:** I do not recommend any changes to this Policy

## 21.0 Summary and Recommendation

21.1 I am satisfied that the Neighbourhood Plan meets the Basic Conditions and would like to congratulate the Skillington Parish Council and the Neighbourhood Planning Steering group for the considerable amount of work that they have undertaken to produce the Plan. The Plan has been excellently produced and presented. It positively promotes development while seeking to protect the Plan area from inappropriate development. It demonstrates the clear vision and aspiration of the community to maintain and improve the local environment while seeking to promote developments that will contribute to increasing the sustainability of the settlements.

21.2 It is evident that the District Council have supported the process.

21.3 In accordance with Schedule 4B to the Town and Country Planning Act 1990, outlined below is a summary of my findings.

I am satisfied that Skillington Parish Council is an appropriate Qualifying Body and is therefore able to produce and submit a Neighbourhood Development Plan for the Parish of Skillington. I am satisfied that the area included in the Skillington Neighbourhood Plan is appropriate and was designated accordingly by South Kesteven District Council. I am also satisfied that the Skillington Neighbourhood Plan does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this neighbourhood area.

21.4 The Plan covers an appropriate period, namely from 2017 to 2031.

21.5 I am satisfied that the Skillington Neighbourhood Plan takes sufficient regard to National Planning Policies and guidance and that the Plan does not make any provision for any excluded development.

21.6 I consider that the Skillington Neighbourhood Plan policies, subject to minor modifications, will make a positive contribution to sustainable development. The policies could promote economic growth and serve to maintain and enhance the physical appearance of the area and well-being of the community. The production of the Plan should provide confidence to the community.

21.7 I understand that South Kesteven District Council undertook an SEA and Habitat Regulation Act screening exercise to establish whether a full SEA was required and concluded that there were no policies included in the Neighbourhood Plan that meant an SEA was required. I consider therefore that the legal requirements of the EU's SEA Directive have been met. The Neighbourhood Plan proposals will have no significant effects on the environment or any European sites.

21.8 I consider that the Plan complies with the rights outlined in the Human Rights Act.

21.9 I consider that extensive public consultation has taken place, led by the Neighbourhood Plan steering group. I am satisfied that the public consultation meets the requirements of Section 15 (2) of Part 5 of the Neighbourhood Planning Regulations 2012.

21.10 I conclude that the Plan meets the Basic Conditions as defined in the Localism Act 2011, Schedule 10 and Schedule 4B, 8 (2) of the Town and Country Planning Act 1990.

21.11 In accordance with the Town and Country Planning Act 1990, Schedule 10 (2) (b) I recommend the modifications specified in this report are made and that the draft Neighbourhood Plan for Skillington is submitted for a Referendum.

Dr Angus Kennedy OBE  
Community Regeneration Partnership  
31 May 2017