

Caythorpe and Frieston Neighbourhood Development Plan 2022-2036

**A report to South Kesteven District
Council on the Caythorpe and Frieston
Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by South Kesteven District Council in November 2022 to carry out the independent examination of the Caythorpe and Frieston Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 8 November 2022.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its character and appearance. It proposes the designation of seven local green spaces.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Caythorpe and Frieston Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
14 February 2023

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Caythorpe and Frieston Neighbourhood Development Plan 2022-2036 (the 'Plan').
- 1.2 The Plan has been submitted to South Kesteven District Council (SKDC) by Caythorpe and Frieston Parish Council (CFPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative Plan, or a potentially more sustainable Plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan. It has a clear focus on maintaining the character and appearance of the neighbourhood area.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by SKDC, with the consent of CFPC, to conduct the examination of the Plan and to prepare this report. I am independent of both SKDC and CFPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

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

Other examination matters

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

3 Procedural Matters

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

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the SKDC SEA/HRA screening report;
- CFPC's responses to the clarification note;
- the representations made to the Plan;
- the adopted South Kesteven Local Plan;
- the National Planning Policy Framework (July 2021);
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 8 November 2022. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined by written representations and without the need for a public hearing.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 CFPC prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (January to February 2022). It captures the key issues in a proportionate way and is then underpinned by more detailed appendices. It is a good example of a Consultation Statement.
- 4.3 The Statement set out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the survey booklet (July 2021);
 - the engagement with organisations and statutory bodies (July 2021);
 - the updates to residents in News and Views (August 2021);
 - the stall on the Plan at the Caythorpe Gala (September 2021); and
 - the ongoing use of social media publication of documents on the Parish Council website;
- 4.4 The Statement either reproduces the materials used or summarise the findings of the various events and engagements. This is best practice. It also brings life, depth, and interest to a document of this nature which can otherwise be rather descriptive.
- 4.5 Appendix 6 of the Statement provides specific details about the comments received during the consultation process on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submitted Plan. This process helps to describe the evolution of the Plan.
- 4.6 Consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach towards seeking the opinions of all concerned throughout the process. SKDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.8 Consultation on the submitted plan was undertaken by SKDC and ended on 26 October 2022. This exercise generated comments from the following organisations:

- Forestry Commission
- Lincolnshire Integrated Care Board
- Highways England
- Historic England
- Canal and River Trust
- Environment Agency
- Upper Witham Internal Drainage Board
- National Grid
- Sports England
- South Kesteven District Council

4.9 I have taken account of the various representations in examining the Plan. Where it is appropriate to do so, I make specific reference to the individual representations in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Caythorpe and Frieston. It sits in attractive countryside between Grantham and Lincoln. The A607 runs in a north-south direction through the centre of the parish. Its population in 2011 was 1374 persons living in 574 houses. It was designated as a neighbourhood area on 25 June 2020.
- 5.2 Caythorpe and Frieston were originally two separate settlements. Whilst they are now largely co-joined, they have retained their own characters. The centres of both villages are conservation areas. Caythorpe serves as a centre for both Caythorpe and Frieston and as a local centre for the wider catchment area. It enjoys a wide range of community and commercial facilities including a pre-school and primary school.
- 5.3 The remainder of the parish is attractive countryside. It is largely in agricultural use. As the Plan helpfully comments the parish falls within two different landscape areas. The area from the High Dyke to the villages is part of the South Lincolnshire Edge, and the area from the villages to the western parish boundary is part of the Trent and Belvoir Vale. There are spectacular views out of the neighbourhood area over the Vale of Belvoir/Trent flood plain towards Nottingham.

Development Plan Context

- 5.4 The South Kesteven Local Plan was adopted in January 2020. Caythorpe and Frieston is identified as one of a series of Larger Villages in the settlement hierarchy in Policy SP2 of the Local Plan.
- 5.5 The Plan has been carefully developed to take account of the adopted South Kesteven Local Plan (SKLP). Policy SP2 comments that in the Larger Villages in addition to allocations, development proposals which promote the role and function of the Larger Villages, and will not compromise the settlement's nature and character, will be supported.
- 5.6 Other more general policies in the Local Plan have been particularly relevant in influencing and underpinning the various policies in the submitted Plan, including:

Policy SP3	Infill Development
Policy SP4	Development on the Edge of Settlements
Policy SP6	Community Services and Facilities
Policy E4	Protection of Existing Employment Sites
Policy E5	Expansion of Existing Businesses
Policy EN1	Landscape Character
Policy EN3	Green Infrastructure
Policy EN6	The Historic Environment
Policy DE1	Promoting Good Quality Design
Policy OS1	Open Space

- 5.7 The Inspector's report on the current Local Plan commits SKDC to undertake an early review of the Local Plan from April 2020 with submission by the end of December 2023. The Local Development Scheme has been revised to ensure that the timetable for review of the Local Plan is realistic and achievable. On this basis the submission of the review of the Local Plan is now expected to be in March 2024. In these circumstances the submitted neighbourhood plan has not sought to take account of the emerging Local Plan review
- 5.8 In process terms, the timings involved have allowed the submitted neighbourhood plan directly to take account of the adopted Local Plan. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 8 November 2022.
- 5.10 I drove into the neighbourhood area from Stragglethorpe to the north and west. This gave me an initial impression of its setting in the wider landscape.
- 5.11 I looked initially at St Vincent's Church and the green area by its entrance gates. It provided a very helpful content to the social and military history of the parish.
- 5.12 I then took the opportunity to look at the various commercial and community facilities in and around High Street. I saw that the School, the Village Hall and the village shop were at the heart of the community.
- 5.13 I then carried along High Street to Frieston. I saw that it had a different and more open character to that of Caythorpe. I looked at the three proposed local green spaces between Frieston Road and Hough Road.
- 5.14 I then looked at the proposed local green space to the west of Millfield Crescent off Frieston Road. I followed the pedestrian access and saw the scale and topography of the field and its ridge and furrow heritage.
- 5.15 I walked back to Caythorpe along Back Lane. This gave me a different view of the school (to the east) and the extensive countryside (to the west).
- 5.16 I finished my visit by driving to Hougham. This highlighted the wider landscape setting of the neighbourhood area

6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

6.3 I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021. This approach is reflected in the submitted Basic Conditions Statement.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the Caythorpe and Frieston Neighbourhood Plan:

- a plan led system – in this case the relationship between the neighbourhood plan and the adopted South Kesteven Local Plan;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

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

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms subject to the recommended modifications included in this report. It sets out a positive vision for the future of the neighbourhood area within the context of its role in the settlement hierarchy. It proposes a series of policies based on its landscape and environmental character. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance Paragraph ID:41-041-20140306 which indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.10 As submitted, the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for residential development (Policies 1, 2 and 4) and for employment development (Policy 13). In the social role, it includes policies on community facilities (Policy 9) and on access to the countryside (Policy 11). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on the historic environment (Policy 5) and on the designation of local green spaces (Policy 8). CFPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in South Kesteven in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to the policies in

the development plan. Subject to the recommended modification in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement, SKDC undertook a screening exercise (May 2022) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, SKDC concluded that the Plan is unlikely to have any significant effects on the environment and accordingly would not require a SEA.

Habitat Regulations

- 6.16 The screening report also included a separate Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.17 The HRA report is both thorough and comprehensive. It takes appropriate account of the significance of the Grimsthorpe Park SAC (outside the parish). It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.

Human Rights

- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

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

7 The Neighbourhood Plan policies

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

The initial section of the Plan

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional and thorough fashion. It includes well-selected maps. A very clear distinction is made between its policies and the supporting text.
- 7.9 The Introduction addresses the background to the neighbourhood planning agenda. It comments about how the Plan has been prepared and how it will be used within the Plan period. It comments on when the neighbourhood area was designated, includes a map of the defined area, and identifies the Plan period.
- 7.10 The Parish, its History and People Section describes keys elements of the neighbourhood area. It does so in a very effective fashion. The Plan's presentation of the various issues has been very helpful for examination purposes.
- 7.11 The section on the Vision for the Plan highlights the links between the Plan's objectives and its resultant policies. The Vision is as follows:

'We intend that Caythorpe and Frieston Parish will keep its open, rural character. Within this the villages of Caythorpe and Frieston will prosper to the benefit of residents of all ages. We will preserve the historic conservation areas and the many facilities we have. This will benefit both ourselves and other nearby villages.'

- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy 1 Location and Scale of New Housing

- 7.13 This policy comments that proposals for new housing development on infill sites of up to eleven dwellings will be supported where they meet the requirements of the Local Plan Policies SP2 (Settlement Hierarchy) and SP3 (Infill Development), and a series of locally-distinctive criteria.
- 7.14 In general terms I am satisfied that the policy is in general conformity with Policies SP2 and SP3 of the SKLP. However, criteria C and D comment about development both to the west and to the east of the village. By their very nature such development would not be infill development as anticipated by the policy and it would naturally extend the village. In these circumstances I recommend the deletion of these two elements from the policy. This approach also takes account of the responses from CFPC to the clarification note.
- 7.15 In addition I recommend a specific modification to the wording used in criterion E so that it has the clarity required by the NPPF and is consistent with the language used elsewhere in the policy.
- 7.16 Otherwise, the policy meets the basic conditions. It will ensure that new development is concentrated in the village close to its community and commercial facilities.

Delete criteria C and D

In E replace 'Development' with 'Any new development'

Policy 2 Housing Mix

- 7.17 This policy sets out three key matters in relation to the housing mix in new residential proposals. The first is that schemes should include at least 75% of these homes as 2- and 3-bedroom dwellings, and the density of schemes should be sympathetic to the character of the surrounding area. The second addresses affordable housing. The third addresses the provision of bungalows.
- 7.18 The three different elements of the policy work in harmony one with the other. However, I recommend the deletion of the opening element of the policy as it adds no value to the three specific elements.
- 7.19 I recommend detailed modifications to the wording of part A of the policy to bring the clarity required by the NPPF

- 7.20 I also recommend detailed modifications to the second part of the policy. They take account of the NPPF's definition of affordable housing which includes both affordable rent and ownership in addition to other types of affordable housing such as starter homes
- 7.21 Part C of the policy seeks to restrict the number of new bungalows. This is a very different approach to that taken in other neighbourhood plans. However, it is evidence-based and takes account of the high percentage of such dwellings already in the neighbourhood area.

Delete the opening element of the policy

Replace part A of the policy with: 'Proposals for housing development that meet the requirements of Policy 1 should include at least 75% of 2- and 3-bedroom dwellings, and the resulting schemes and their layouts should respond positively to the character of the immediate locality.'

In part B delete 'to rent or affordable home ownership'

Policy 3 Design Criteria for New Housing

- 7.22 This policy includes a series of design criteria for new houses. They include building heights, boundaries, and car parking.
- 7.23 In general terms the policy takes a positive approach to this matter. However, I recommend that the opening part of the policy is recast so that it makes an initial statement about the need for high quality and distinctive solutions.
- 7.24 I also recommend that some of the design criteria are combined where there is a natural association between the elements concerned.
- 7.25 In relation to criterion A, I recommend that the policy becomes more general in its application. The Written Ministerial Statement (March 2015) comments that a neighbourhood plan should not set specific efficiency standards (in this case carbon neutral buildings).
- 7.26 I also recommend that criterion G is deleted. The matter is ultimately determined by the building regulations. In any event the Plan has not produced any specific evidence to justify the need for buildings to be constructed to meet the higher accessibility standards in Part M of the regulations. I also recommend that criterion J is deleted. Dropped kerbs are a highway rather than a planning issue.
- 7.27 Otherwise the policy meets the basic conditions. It will be a positive local response to Section 12 of the NPPF which seeks to bring forward high quality development at a national level.

Replace the policy with:

‘Development proposals for new houses should incorporate high quality and distinctive solutions which take account of their location in the neighbourhood area. In particular, development proposals should:

(A) Respond positively to the technology for the delivery of energy efficient buildings;

(B) Enhance the character of their surroundings, particularly if they are within or visible from the conservation areas;

(C) Respect the height of surrounding houses;

(D) Incorporate boundaries that are appropriate for their location;

(E) Have driveways of permeable material;

(F) Incorporate trees on the site where space permits; and

(G) Have two off-road parking spaces and incorporate a charging point for electric vehicles.’

Policy 4 Extension to existing buildings

- 7.28 This policy comments that residential conversions or extensions should be designed to respect the character of the existing building, nearby buildings, and their setting. It sets out a series of matters to which proposals should pay particular attention.
- 7.29 The policy takes a distinctive local approach to this matter.
- 7.30 The second part of the policy offers encouragement to the incorporation of sustainable elements in extensions. I recommend a modification to this part of the policy so that it has the clarity required by the NPPF. It shifts the approach from encouragement (which has little weight in a policy context) to one which supports such measures.

Replace the second part of the policy with: ‘The incorporation of sustainable design features such as sustainable drainage, porous/permeable surfacing for drives and domestic-scale renewable energy into extensions will be supported where they are sensitively incorporated into the overall design’

Policy 5 The Historical Environment

- 7.31 This policy addresses the historic environment of the parish. It comments that proposals affecting designated heritage assets, or their setting, should take account of SKLP Policy EN6, and to a series of local factors.
- 7.32 On the one hand, the approach in the policy reflects that in national and local policies. On the other hand, it refers to the two conservation areas and to non-listed buildings in the parish which are considered to have heritage value and significance. On the

balance of the evidence, I am satisfied that it brings specific local value to national and local policies.

- 7.33 As submitted the policy has a confusing format with a policy statement at the beginning and at the end. In order to remedy this matter, I recommend that the initial and final elements of the policy are combined to provide a broader context for the specific criteria in the policy.
- 7.34 I recommend that Part C of the policy is modified to take account of specific unlisted buildings in the parish. As SKDC comment, the submitted policy does not have the clarity required by the NPPF and it will be difficult to implement through the development management process with any certainty.
- 7.35 I also recommend that Part E of the policy is deleted and repositioned into the supporting text. It explains how the policy will be applied rather than functioning as policy.

Replace the opening element of the policy with:

‘Development proposals affecting designated heritage assets or their setting should take account of Local Plan Policy EN6 and should preserve or enhance the asset in question and contribute to the quality and character of its setting. Proposals which sensitively promote and interpret heritage assets will be supported where they respond positively to the following local factors:’

Replace C with:

‘Development proposals affecting listed buildings and buildings of historical significance outside the conservation areas (as detailed in [insert details]) should safeguard the integrity and the setting of the asset concerned. Proposed alterations should be sympathetic both to the building concerned and to its setting.’

Delete Part E of the policy.

Delete the final element of the policy.

Include the details of the local heritage assets (as referenced in part C of the policy) in either the supporting text and/or in an appendix.

At the end of the Explanation add: ‘This policy also overlaps with the Plan’s approach towards important views and open spaces. In some cases, these elements of the Plan may include or relate to heritage assets’

Policy 6 Landscape and Natural Environment

- 7.36 This is a wide-ranging policy which addresses the landscape and natural environment. It has four related parts as follows:
- a link to the Landscape Character Assessment;

- the open farmland character of the parish
 - safeguarding identified views; and
 - an encouragement for the use of flora and fauna.
- 7.37 The opening element of the policy adds little value to the details in the four component parts of the policy. On this basis I recommend that it is deleted.
- 7.38 I recommend modifications to part B of the policy so that it is more directly applicable to the development management process. As submitted it is a statement of intent rather than a land use policy.
- 7.39 I also recommend modifications to part C of the policy to bring clarity required by the NPPF. As submitted, its wording is uncertain and potentially-confusing. I also recommend a similar modification to part D of the policy for the same reasons. In this case, I also recommend that its format allows its approach to be applied in a proportionate fashion. Plainly different schemes will bring their own opportunities to introduce fauna and flora into development proposals. I recommend consequential modifications to the supporting text.
- 7.40 Otherwise the policy meets the basic conditions. It will contribute towards the delivery of the environmental dimension of sustainable development.

Delete the opening element of the policy.

Replace B with: ‘Development proposals should respond positively to the open farmland character of the parish. Proposals for new farm buildings, business units or tourism developments should be of a high standard of design and, where necessary, incorporate landscaping appropriate to its location.’

Replace C with: ‘Development proposals should respect the key views identified within the conservation area and the wider parish landscape and should not detract their significance. Proposals which would unacceptably impact on the identified key views will not be supported.’

Replace D with: ‘As appropriate to their scale, nature and location development proposals should incorporate any practicable measures which would benefit native flora and fauna.’

At the end of the supporting text add: ‘Part D of the policy comments that development proposals should incorporate any practicable measures which would benefit native flora and fauna These include new woodland or hedgerow planting, more uncultivated field margins or land given up for a nature reserve.’

Policy 7 Existing Open spaces and Recreational Facilities

- 7.41 The Plan designates the following facilities as open spaces and recreational facilities:
- the burial ground;
 - the allotments;
 - St Vincent’s Church Yard;

- the playing field; and
 - the playing field at Caythorpe Primary School.
- 7.42 The policy then comments that the identified facilities should be protected from alternative land uses, and proposals which would reduce the quality or quantity of these facilities will only be supported if existing facilities are replaced at an equivalent or better quality and quantity, and in a suitable location. It also comments that development proposals which enhance or improve existing sites will be supported.
- 7.43 The third part of the policy comments about other smaller open spaces (as defined in Appendix 6)
- 7.44 In general terms the policy has been well-considered. Nevertheless, to bring the clarity required by the NPPF I recommend the following modifications:
- the various parts of the policy refer to the appendices concerned;
 - the order of the second part of the policy is reversed so that it addresses enhancement to the identified areas first rather than any negative impacts;
 - refinements to the wording used in the second part of the policy so that they are consistent with the wording in the first part of the policy; and
 - a refinement to the third part of the policy (on the smaller open areas) to ensure that there is a clear policy difference between the effects of the two elements of the policy
- 7.45 Otherwise the policy meets the basic conditions. It will contribute towards the delivery of the social dimension of sustainable development,

In the opening element of the policy add '(as detailed in Appendix 4)' after 'and recreational facilities'

Replace the second part of the policy with:

'Development proposals which enhance or improve the identified open spaces and recreation facilities will be supported.'

Development proposals which would reduce the quality or quantity of an identified open space or recreation facility will only be supported if the existing facility is replaced at an equivalent or better quality and quantity, and in a suitable and accessible location.'

Replace the final part of the policy with: 'Enhancement proposals and the planting of additional trees in the smaller amenity green spaces (as shown in Appendix 6) will be supported.'

Policy 8 Local Green Spaces

- 7.46 This policy proposes the designation of seven LGSs. Their details are set out in Appendix 5.

- 7.47 I looked at the proposed LGSs during the visit. Based on all the information available to me, including my own observations, I am satisfied that proposed LGSs1-6 comfortably comply with the three tests in paragraph 102 of the NPPF and therefore meet the basic conditions. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy. The war memorial and the small green in Caythorpe (LGS3) is a particularly good example.
- 7.48 In its representation on the Plan SKDC commented about the size of LGS 7 (the field off Frieston Road). At 8.22 ha it is significantly larger than the other LGSs in the Plan. I looked at the proposed LGS very carefully during the visit. I paid particular attention to the access into the site and its relationship with the village. In its response to the clarification note CHPC commented that:
- *there is no definition of 'extensive' in the criteria for LGSs, and sites of up to 46.5 ha have been designated elsewhere. LGS7 is a pasture field with clearly defined boundaries and is not a large or extensive tract of land when compared with the other, much larger arable fields around the villages.*
 - *LGS7 borders on the Caythorpe built-up area to the east and Frieston to the south, and contributes towards Objective 1 in maintaining the separate identities of these settlements.*
 - *The sloping westerly portion contains the most clearly defined and largest area of medieval ridge-and-furrow cultivation in the parish, and is recognised as a heritage asset by Lincoln County Council. We wish to acknowledge its heritage value to the parish, as well as to the county by designating it as a LGS.*
 - *The footpaths around and across the site, particularly at the eastern end, are an important recreational asset to the community. They are in regular use, including by the Walking for Health group.*
- 7.49 On the balance of the evidence, including my observations I am satisfied that it is in reasonably close proximity to the communities which it serves and has a particular significance (by way of its footpath access and its heritage value as a ridge and furrow field). Planning Practice Guidance ID: 37-015-20140306 comments that the extent to which a proposed LGS is local in character and not an extensive tract of land is a matter for local judgement. In this context it also comments that a blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.
- 7.50 I am satisfied that CFPC has taken a responsible and evidence-based approach to this matter. The field is a self-contained parcel of land and it would have been impracticable to attempt to define only a part as LGS. In this context the proposed designation has been assessed against national policy rather than in direct comparison with other proposed LGS in the parish.
- 7.51 I am satisfied that the proposed designation of the seven LGSs would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do

not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.

- 7.52 The policy follows the matter-of-fact approach towards LGS as set out in the NPPF (paragraph 103). In addition, the supporting text explains that SKDC will be able to come to a case-by-case decision on whether any development proposals affecting LGS demonstrate the very special circumstances required by the policy.
- 7.53 The policy meets the basic conditions. It will contribute to the delivery of the environmental and social dimensions of sustainable development.

Policy 9 Village Centre and Community Infrastructure

- 7.54 This policy has a sharp focus on community facilities. It recognises their importance to the social well-being of the parish. It has the following elements:
- the identification of the most important facilities;
 - offering support for the extension or adaptation of the identified facilities;
 - offering support for new facilities; and
 - setting out a policy context for proposals which would involve the loss of an identified community facility.
- 7.55 In general terms the policy takes an appropriate approach. However, the policy identifies the most important facilities at the end of the policy. I recommend that the order of the sections of the policy is reversed so that it lists the facilities at the outset.
- 7.56 I recommend that the policy explicitly relates to the six identified facilities. This will bring the clarity required by the NPPF. I also recommend that the policy element which supports both extensions to existing facilities and to the development of new facilities is broken into the two separate components.
- 7.57 Finally I recommend that the part of the policy on proposals which would result in the loss of existing facilities is reconfigured so that it clarifies that only one of the three exceptions needs to be met. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

Replace the policy with:

‘The Plan identifies the following important community facilities:

- **The Primary School;**
- **Caythorpe Convenience (Spar) Store and Post Office;**
- **The Waggon & Horses and The Red Lion public houses;**

- Caythorpe Surgery; and
- Caythorpe playing field and children’s playground.

Development proposals which would improve and/or extend an important community facility will be supported where their design and layout are appropriate to their surroundings.

Development proposals for new community facilities will be supported where they are accessible to the community and their designs and layouts are appropriate to their surroundings.

Insofar as planning permission is required, proposals that would result in the loss of an important community facility will not be supported unless:

(A) alternative provision is made for equivalent or better facilities; or

(B) it can be demonstrated the service or facility is no longer economically viable; or

(C) it can be demonstrated that the facility concerned is no longer being used by the local community.’

Policy 10 Transport

- 7.58 This policy comments on a range of transport issues. The first seeks to avoid conflict between the different types of road users. The second sets out a requirement for larger proposals to submit a Transport Assessment with the planning application. The third offers support for the installation of EV charging points.
- 7.59 I am satisfied that Parts A and C meet the basic conditions.
- 7.60 I recommend the deletion of part B and its relocation into the supporting text. It describes a process to be followed rather than setting out a policy. In any event, the issue of traffic generation is already included in national and local policy and can be applied as necessary by SKDC on a case-by-case basis. The recommended modification to the supporting text includes additional wording provided by CFPC in its response to the clarification note.

Delete part B of the policy

At the end of the first paragraph of supporting text add:

‘The presence of large farms in the Parish generates traffic from mainstream agricultural activity and from diversification, whereby former agricultural units are used for business purposes. The presence of a large waste recycling plant and an outdoor activity centre, just to the east of Caythorpe village also creates pressure on the lanes and small rural roads. In addition, most of the roads within the villages are narrow and lack footpaths on one or both sides and are unsuitable to accommodate extra traffic. Development proposals which would generate a significant amount of additional traffic

and/or which would generate HGV traffic should be supported by a Transport Assessment or Statement.'

Policy 11 Countryside Access and Right of Way

- 7.61 This policy comments that development proposals will be supported if they improve or extend the existing network of public footpaths and bridleways in the parish, especially where they allow greater access to services and facilities or to the surrounding open countryside. It also comments that development that would result in the loss of existing footpaths and bridleways or create obstacles to the use of these routes will not be supported.
- 7.62 I recommend that the element of the policy about obstacles to footpaths is replaced with a more general reference to the attractiveness of the routes concerned. Any specific obstacles to footpaths would be a highways matter (controlled by the County Council) rather than a land use matter.
- 7.63 Otherwise the policy meets the basic conditions. The implementation of the policy will contribute towards the delivery of the social dimension of sustainable development.

Replace 'or create obstacles to the use' with 'or detract from the attractiveness'

Policy 12 Digital Connectivity

- 7.64 This policy comments about broadband, mobile phone masts and the phone box in the village. Its context is that mobile phone signals are extremely variable within the parish, so it is risky to rely solely on a mobile phone at present. Broadband speeds are also poor. The preparation of the Plan also highlighted that there was also a strong feeling that the call box should be retained, providing a service in emergencies and for those residents who do not have access to mobile phones.
- 7.66 In general terms the policy is well-considered. However, I recommend modifications to bring the clarity required by the NPPF. They take account of the responses from CFPC to the clarification note. They remove any reference to a limited number of phone masts. The approach towards the retention of the traditional phone box in the village has considerable social merit. However, it is not a land use planning matter. I recommend that it is weaved into the Community Actions.
- 7.67 I also recommend modifications to the wider policy to ensure that its wording has the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. Its implementation will contribute towards the delivery of each of the three dimensions of sustainable development.

Replace the policy with:

'Development proposals that will improve broadband speeds and mobile phone signals will be supported, where the equipment involved is sited sensitively and does not have an unacceptable impact on the environment of the neighbourhood area'

Policy 13 Business and Employment

- 7.68 This policy has two parts. The first comments that proposals for the development of new business units, the expansion or diversification of existing small units and tourism-related development will be supported subject to criteria. The second comments that where planning permission is required, proposals for home-based working will be supported where there is no unacceptable impact on the residential amenity of neighbouring properties or on the character of the immediate area of the property concerned.
- 7.69 I am satisfied that the policy has regards to national policy. It will do much to contribute to the economic dimension of sustainable development. In addition, it reflects the rural nature of the parish. I recommend a detailed modification to part B of the policy so that it reads in a consistent way with the plural nature of the preceding part of the policy. Otherwise, it meets the basic conditions

In criterion B replace 'it is' with 'they are'

Community Aspirations

- 7.70 The Plan includes a package of Community Aspirations. They are non-land use issues which have naturally arisen during the plan-preparation stage. They are included in a separate part of the Plan as advised by national policy.
- 7.71 The various Aspirations are as follows:

CA 1 Roads and travel

The Parish Council will work with others to:

- Maintain and improve public transport.
- Promote Call Connect, which is little used by parishioners.
- Persuade SKDC and/or landowners to improve access to the countryside by maintaining and extending public rights of way and substituting gates for stiles.
- Decrease the number of potholes in the roads by encouraging residents to report them to Fix My Street.

CA 2 Environment

The Parish Council will work with others to:

- Take steps to keep the parish litter free by employing a litter picker, litter picking by Mid UK Recycling near their site and volunteers elsewhere.
- Promote the reporting of fly tipping to SKDC, by publicising the contact information.
- Ensure that the relevant authorities take steps to prevent damage to High Dyke SSSI.
- Prevent dog fouling in the countryside by means of education and information for dog owners and threats of prosecution as appropriate.

- Seek an opportunity to create a space for nature with public access close to the villages.

CA 3 Community activity

The Parish Council will work with others to:

- Maintain the viability of community events, such as the Gala.
- Support the use of the playing field for sports and other outdoor activities that are so important for the health and wellbeing of participants.
- Promote leisure and social activities for residents of all ages.
- Ensure the streets and footpaths are kept free from litter, dog faeces and potholes.
- Promote and retain the businesses that already exist and serve the local area.
- Replace the Village Hall should the opportunity arise

7.72 The Aspirations have been well-developed. They are distinctive to the neighbourhood area. In some cases, their delivery will complement the land use policies.

7.73 In my commentary on Policy 12 I have recommended that the retention of the phone box should become a Community Aspiration. I recommend that it is included as an addition bullet point in CA3.

Include the retention of the phone box as an addition bullet point in CA3

Other matters - General

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

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

Other Matters – Specific

7.75 I also recommend two specific modifications to the initial sections of the Plan which are necessary to ensure that the Plan meets the basic conditions. They are based on comments from SKDC.

Under the heading ‘Caythorpe and Frieston in the National Planning Policy Framework and Local Plans’ (page 3)

- *Replace the last sentence of the second paragraph with: ‘Grantham as a subregional centre – Stamford, Bourne and the Deepings as Market Towns and*

then fifteen larger villages have been identified as areas of growth and will accommodate development within the period covered by the Local Plan.'

- *In the third paragraph/first sentence replace 'Caythorpe' with 'Caythorpe & Frieston'*
- *Replace the second sentence of the third paragraph with: 'This is because no land was put forward for possible development at the time of the production of the Local Plan'*
- *In the fourth paragraph clarify that the commentary is from Policy SP3 of the Local Plan*
- *Include an additional paragraph after the fourth paragraph to read: 'Policy SP4 of the adopted Local Plan provides a context for new development on the edge of settlements. It comments that proposals for development on the edge of a settlement, as defined in Policy SP2, which are in accordance all other relevant Local Plan policies, will be supported.'*

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Caythorpe and Frieston Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to South Kesteven District Council that subject to the incorporation of the modifications set out in this report the Caythorpe and Frieston Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by South Kesteven District Council on 25 June 2020.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
14 February 2023