

# Branston and Mere Neighbourhood Plan

## North Kesteven District Council Regulation 16 Publication Consultation Response

### Introduction

This document has been produced in response to the submission version of the Branston and Mere Neighbourhood Plan (BMNP) which is being consulted upon between 19 April and 14 June 2021.

North Kesteven District Council (NKDC) has provided comments on a number of previous versions of the BMNP in an aim to help the Neighbourhood Planning Steering Group improve the plan before it was submitted to the Council. It is pleasing to see that many of these recommended changes have been made to the plan prior to submission.

The aim of this document is to provide a view as to whether the plan and the policies within it meet the basic conditions as required by legislation. It also aims to provide a view as to whether any of the policies cause concern for implementation, along with recommended improvements that would benefit the delivery of the plan and would assist in making the plan more aligned to national policy.

The Basic Conditions are:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- b) the making of the plan contributes to the achievement of sustainable development;
- c) the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- d) the making of the plan does not breach, and is otherwise compatible with, EU obligations; and
- e) prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

This report is set out in the order of the content of the BMNP.

### Conclusion

Overall, it is considered that the BMNP is well presented and it is a well written planning document that is generally fit for purpose. It is considered that, subject to some minor amendments as proposed in the below assessment, the plan meets the Basic Conditions as required by the regulations and therefore should proceed to referendum. Overall the plan is in general conformity with both the adopted Central Lincolnshire Local Plan and it is consistent with national policy. The plan, if amended in accordance with the below recommendations, would provide clarity for decision makers about how to deal with planning applications, and allows for the growth assigned to the area in the Central Lincolnshire Local Plan.

All recommended changes are considered to be appropriate to be made without the need for any additional consultation as the intention of the policies would remain intact, but the rewording would assist with delivery of the policies.

## Assessment of BMNP

Section	Commentary	Changes recommended
Policy 1	<ul style="list-style-type: none"> <li>• This policy seeks to limit development to proposals of 9 or fewer dwellings except in exceptional circumstances and (presumably) where community support has been achieved. Part 1a) links to part 2 and 3, but part 3 relates to amenity space so this is likely an error.</li> <li>• Branston has received a fair amount of development from sites allocated in the local plan and it is these allocations which allow a restrictive policy to be put in place. The inclusion of the exception rules in parts 2 and 4 of the policy differ from the local plan policy LP2 position on Large Villages such as Branston, but this change (given the allocations) is not considered to be in conflict with the local plan. However, there may be occasions where, for example, a brownfield site could be redeveloped for more than 9 dwellings and where forcing a reduction to below the threshold would result in inefficient use of land. As such a minor amendment to part 2 should be made to allow for such occasions on a case by case basis.</li> <li>• Furthermore, the reference at the end of part 2 of this policy requires exceptional cases to adhere to parts 1a-e of this policy, but parts 1a and 1b are not relevant.</li> <li>• Part 2 of the policy takes a different approach to the definition of exceptional circumstances than the local plan which specifies that more than just delivery of housing is needed to justify such proposals, with an example of a community facility being given. It might be that this is intentional but in order to ensure consistency with the local plan it is recommended that the definition of exceptional circumstances set out in Policy LP2 is carried across into this policy.</li> <li>• Part 4 would benefit from clarification of the scope and extent of the consultation required. This is based on the experience of using such a policy in the local plan. An additional point 4b) would help to make this more precise.</li> <li>• Part 4e) of the policy could be clarified somewhat with an amendment to the wording to make it more precise.</li> <li>• Once these minor amendments are made, it is considered that this policy will meet the basic conditions.</li> </ul>	<p>Amend part 2 to “In exceptional circumstances additional growth on non-allocated infill or brownfield sites within the developed footprint, or in appropriate locations (see CLLP) outside of...”</p> <p>Amend the last sentence in part 2 to read “Notwithstanding this, these proposals will also be subject to the criteria (c-e) in part 1 of this policy.”</p> <p>Import definition of exceptional circumstances from the local plan to part 2.</p> <p>Add new 4b) to read “that the scale and reach of community engagement is appropriate taking account of the scale and location of the proposal” and change 4b) to 4c) etc.</p> <p>Amend part 4e) to replace “an explanation” with “a clear demonstration”</p>
Policy 2	<ul style="list-style-type: none"> <li>• It is noted that due to the restrictions of Policy 1, this policy will apply to very few occasions. However, there may be occasions where it will apply when the exceptional circumstances apply. It is considered to be consistent with the local plan and meet the basic conditions.</li> </ul>	n/a
Policy 3	<ul style="list-style-type: none"> <li>• In part 1c) “unreasonable” should be replaced with “unacceptable” to be more accurate.</li> <li>• In part 1d) “integrity” should be replaced with “setting and significance” to be more aligned to national policy.</li> <li>• Part 2 of the policy introduces the community support element of policy to employment uses. Whilst this is not</li> </ul>	<p>In part 1c) replace “unreasonable” with “unacceptable”.</p> <p>In part 1d) replace “integrity” with “setting and Significance”.</p>

Section	Commentary	Changes recommended
	<p>done in the local plan, it does not conflict with it. The inclusion of the word “new” in this part of the policy is considered important as it would be unreasonable and counter-productive to apply such a policy to an existing employment use.</p> <ul style="list-style-type: none"> <li>• In part 3 of this policy as worded, it would apply to all uses, including residential, which then doesn't make sense with the rest of the paragraph. Some minor amendment should be made to clarify the uses intended.</li> <li>• Once these changes have been made it is considered that this policy will meet the basic conditions.</li> </ul>	<p>Amend part 3 of the policy to clarify the uses this would apply to, presumably employment uses.</p>
Policy 4	<ul style="list-style-type: none"> <li>• There is some concern that this policy makes no reference to the conservation area and its appraisal. The supporting Branston Village Appraisal also makes very limited reference to the Conservation Area Appraisal. There is no objection to requiring development to be informed by the Branston Village Appraisal that has been produced by the Parish Council, but there should be some reference to the Conservation Area Appraisal too.</li> <li>• Part 1e) of the policy seems to have been cut off. Looking at the regulation 14 draft of the policy there seems to be additional wording that may or may not need to be reintroduced to allow this to make sense.</li> <li>• Once these two amendments are made it is considered that this policy will meet the basic conditions.</li> </ul>	<p>Add new point 2: “2. Within Branston Conservation Area and within its setting, development proposals should be consistent with the requirements of the Branston Conservation Area Appraisal (2018).”</p> <p>Complete the sentence at the end of part 1e) depending on what the Steering Group intended.</p>
Policy 5	<ul style="list-style-type: none"> <li>• This policy seeks to protect community facilities. It is considered to be consistent with local plan policy LP15 and otherwise meets the basic conditions.</li> </ul>	n/a
Policy 6	<ul style="list-style-type: none"> <li>• There are challenges with this policy with the changes to the use class order in 2020 and subsequent changes to allow changes to residential uses from E Use Classes. However, it is right that the community should seek to protect these essential services and facilities and NKDC supports this. This policy accords with the local plan policies and is considered to meet the basic conditions.</li> </ul>	n/a
Policy 7	<ul style="list-style-type: none"> <li>• This policy seeks to protect and enhance green infrastructure in the parish. This is consistent with policies in the local plan and is considered to meet the basic conditions.</li> </ul>	n/a
Policy 8	<ul style="list-style-type: none"> <li>• This policy designates seven areas as Local Green Space. An assessment of the areas in Appendix B suggests that these sites meet the NPPF criteria for Local Green Space designation. As such it is considered that this policy meets the basic conditions.</li> </ul>	n/a
Policy 9	<ul style="list-style-type: none"> <li>• This policy seeks to protect the main leisure facility in the village, providing support for proposals to enhance it. This is supported and is considered to meet the basic conditions.</li> </ul>	n/a

