

Scopwick and Kirkby Green Neighbourhood Plan

Summary of representations submitted by North Kesteven District Council to the independent Examiner following the regulation 16 Draft Plan Consultation, held between Friday 17 June until Friday 29 July 2022. For actual documents, please refer to the downloads under the link [Scopwick and Kirkby Green Neighbourhood Plan - Regulation 16 Consultation | North Kesteven District Council \(n-kesteven.gov.uk\)](https://www.n-kesteven.gov.uk/Neighbourhood-Plan-Regulation-16-Consultation)

Rep No.	Representation	Comments
1	Forestry Commission	<p>Thank you for inviting the Forestry Commission to respond to the consultation on the Neighbourhood Plan. Unfortunately, we do not have the resources to respond to individual plans but we have some key points to make relevant to all neighbourhood plans.</p> <p><u>Forestry Commission and Neighbourhood Planning</u></p> <p><u>Existing trees in your community</u></p> <p>The Forestry Commission would like to encourage communities to review the trees and woodlands in their neighbourhood and consider whether they are sufficiently diverse in age and species to prove resilient in the face of tree pests and diseases or climate change. For example, if you have a high proportion of Ash, you are likely to see the majority suffering from Ash Dieback. Some communities are proactively planting different species straight away, to mitigate the effect of losing the Ash; you can find out more here. Alternatively, if you have a high proportion of Beech, you may find they suffer particularly from drought or flood stress as the climate becomes more extreme. There are resources available to help you get ideas for other species you can plant to diversify your tree stock and make it more resilient.</p> <p><u>Ancient Woodland</u></p> <p>If you have ancient woodland within or adjacent to your boundary it is important that it is considered within your plan. Ancient woodlands are irreplaceable, they have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless “there are wholly exceptional reasons and a suitable compensation strategy exists” (National Planning Policy Framework paragraph 180). The Forestry Commission has prepared joint standing advice with Natural England on ancient woodland and veteran trees. This advice is a material consideration for planning decisions across England and can also be a useful starting point for policy considerations. The Standing Advice explains the definition of ancient woodland, its importance, ways to identify it and the policies that relevant to it. It provides advice on how to protect ancient woodland when dealing with planning applications that may affect ancient woodland. It also considers ancient wood-pasture and veteran trees. It will</p>

		<p>provides links to Natural England’s Ancient Woodland Inventory and assessment guides as well as other tools to assist you in assessing potential impacts.</p> <p><u>Deforestation</u> The overarching policy for the sustainable management of forests, woodland and trees in England is a presumption against deforestation.</p> <p><u>Woodland Creation</u> The UK is committed in law to net zero emissions by 2050. Tree planting is recognised as contributing to efforts to tackle the biodiversity and climate emergencies we are currently facing. Neighbourhood plans are a useful mechanism for promoting tree planting close to people so that the cultural and health benefits of trees can be enjoyed alongside their broader environmental benefits. Any planting considered by the plan should require healthy resilient tree stock to minimise the risk of pests and diseases and maximise its climate change resilience, a robust management plan should also be put in place.</p>
2	West Lindsey District Council	<p>Thank you for inviting my Council to consider the above plan.</p> <p>The plan has excellent maps and it is good to see that many of its policies are informed by a supporting design code document as welcomed by recent national planning guidance.</p> <p>I have no other comments to make. I hope the plan’s examination goes well.</p>
3	NHS Lincolnshire CCG	<p>Thank you for sharing the Scopwick & Kirkby Green Neighbourhood Plan.</p> <p>The CCG notes the plan and fully endorse the references to health and wellbeing.</p>
4	Highways England	<p>Thank you for consulting National Highways (formally Highways England) on the draft Scopwick and Kirkby Green Neighbourhood Plan. The plan is to be in conformity with the policies within the Central Lincolnshire Local Plan (CCLP) and this is recognised within the document.</p> <p>National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.</p> <p>In responding to Local Plan consultations, we have regard to DfT Circular 02/2013: The Strategic Road Network (SRN) and the Delivery of Sustainable Development (‘the Circular’). This sets out how interactions with the Strategic Road</p>

		<p>Network should be considered in the making of local plans. In addition to the Circular, the response set out below is also in accordance with the National Planning Policy Framework (NPPF) and other relevant policies.</p> <p>National Highways principal interest is in safeguarding the operation of the trunk road network and it is noted that the nearest link to the SRN is over 10 miles distant, namely the A46 which routes through Newark and Lincoln.</p> <p>Because of the relatively small scale of new housing/employment development opportunities identified within the Neighbourhood Plan area, it is anticipated that when 2 combined with the distance from the nearest link to the SRN, it is unlikely that there will be any significant impacts on the operation of the SRN.</p> <p>We have no further comments to make at this stage but if I can be of any further assistance on this matter, please do not hesitate to contact me</p>
5	Natural England	<p>Natural England does not have any specific comments on this draft neighbourhood plan.</p> <p>However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan. https://www.n-kesteven.gov.uk/resources/assets/attachment/full/0/136715.pdf</p>
6	The Coal Authority	<p>Thank you for your notification below regarding the Scopwick and Kirkby Green Neighbourhood Plan - Regulation 16 Consultation.</p> <p>The Coal Authority is only a statutory consultee for coalfield Local Authorities. As North Kesteven District Council lies outside the coalfield, there is no requirement for you to consult us and / or notify us of any emerging neighbourhood plans.</p> <p>This email can be used as evidence for the legal and procedural consultation requirements at examination, if necessary.</p>
7	Witham First District Internal Drainage Board	<p>Thank you for the opportunity to comment on the above Neighbourhood Plan it is partly within Witham First District Internal Drainage Board district.</p> <p>The Board has no further comments, it is noted that flooding is extensively included within the plan.</p>
8	Historic England	<p>Thank you for consulting us on the Regulation 16 stage of the Scopwick & Kirkby Green Neighbourhood Plan.</p>

		<p>On this occasion we have no further comments to make but I attach our previous advice sent for the draft plan and SEA screening stages for your information. https://www.n-kesteven.gov.uk/resources/assets/attachment/full/0/137526.pdf</p>
9	National Grid	<p>Dear Sir / Madam</p> <p>We write to you with regards to the current consultations as detailed above in respect of our client, National Grid.</p> <p>Please find attached our letter of representation. Please do not hesitate to contact me via nationalgrid.uk@avisonyoung.com if you require any further information or clarification.</p> <p>For letter, please see https://www.n-kesteven.gov.uk/resources/assets/attachment/full/0/137694.pdf</p>
10	Environment Agency	<p>Dear Sir/Madam</p> <p>Please find attached a copy of the Environment Agency's response to the Regulation 16 Consultation.</p> <p><u>Comment 1</u></p> <p>Policy 1: Sustainable Development, Limited Infill and the Development Boundary</p> <p>We support with modifications.</p> <p>The Infill Policy (Policy 1) should consider flood risk as any develop would be a 'new build' and as such will still need to follow NPPF, in particular the Sequential Test/ Exception Test (where appropriate) and National Standing Advice in relation to flood risk.</p> <p>We did advise this in our response to the draft plan Regulation 14 and note that this remains the same.</p> <p>In addition, we would note that climate change is not currently referenced as one of the principles of sustainable development in Policy 1. We suggest that Point b) related to the scale, density, layout and design could refer to adaptable design that is resilient to flood risk.</p>

		<p>Point f) only refers to mitigating surface water flood risk. We suggest this is amended to recognise all flood risk, in particular to recognise fluvial flood risk.</p> <p>The planning practice guidance (PPG) explains that a policy in a neighbourhood plan should be clear and unambiguous and provide sufficient clarity to ensure that a decision maker can apply it consistently. Importantly, it should reflect and respond to the unique characteristics and planning context of the specific neighbourhood plan area (Paragraph 041 of PPG). Whilst we recognise that supporting text for Policy 6 identifies the flood risk in the area, we consider our suggestions necessary to ensure Policy 1 is applied consistently and correctly in accordance with the NPPF and to ensure it does not conflict with Policy 6 of this Plan, recognising the current and future risk associated with the flood zones 2 and 3, as well as the additional risk and long-term implications posed by climate change.</p> <p>We therefore suggest the following modifications to Policy 1 to improve clarity, remove any unambiguity and ensure it appropriately addresses both current and future flood risk:</p> <ul style="list-style-type: none">• Make reference to adaptable, resilient design of new developments.• Expand the scope of f) to recognise all types of flood risk.• Refer to the approach to flood risk included in the NPPF within Policy 1, including the sequential test where appropriate and National Standing Advice for flood risk. <p>We consider the abovementioned suggested modifications necessary to ensure the Plan is deliverable (paragraph 005 of PPG), and in accordance with the NPPF, relevant guidance and the forthcoming Central Lincolnshire Local Plan, in particular Policy LP2: The Spatial Strategy and Settlement Hierarchy.</p> <p>We would like to emphasise that without these modifications suggested we would be opposing Policy 1.</p> <p><u>Comment 2</u></p> <p>Policy 6 Flood Risk and Drainage</p> <p>Support with modifications</p> <p>Point 2 of Policy 1 states Outside the Development Boundaries, proposals that require planning permission will be considered against wider policies in the Development Plan.</p>
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		<p>Therefore Policy 6 needs to address that building in the flood zone should be avoided where possible in line with NPPF. Whilst we welcome the reference in the supporting text that development should always be located away from flood zones 2 and 3 where possible and that a sequential test may be required, we suggest Policy 6 is modified to provide more clarity. For example, although the allocated sites are not in flood zone 2 or 3, Policy 1 supports infill development, which could be within the flood risk areas.</p> <p>The extent of the current flood zones are linear and narrow along the watercourse. There is an assumption that because there hasn't been much recorded historical flooding, future flooding is unlikely. This should not be used as the basis of the Flood Risk policy.</p> <p>As noted in comment 1, we would welcome reference to climate change within Policy 6 to recognise the importance of this matter. The NPPF is clear that Plans should take a proactive approach to mitigating and adapting to climate change and therefore this would be positive addition to Policy 6. In addition, it would link to Policy 21 c) of the submission version Central Lincolnshire Local Plan that looks to ensure development is safe for its lifetime, taking account of climate change and resilience to flood risk.</p> <p>We would like to emphasise that without these modifications suggested we would be opposing Policy 6.</p> <p><u>Comment 3</u></p> <p>Policy 6</p> <p>Support with modifications</p> <p>Point 6 of Policy 6</p> <p>The Environment Agency External Consultation Checklist clarifies which developments the Environment Agency should be consulted on when located on Source Protection Zones as defined gov.uk, Land contamination DoE industry Profiles. We do not need to be consulted on all development within Source Protection Zones.</p>
11	North Kesteven District Council	<p>North Kesteven District Council – Regulation 16 Comments</p> <p><u>Introduction</u></p>

This document has been produced in response to the submission version of the Scopwick and Kirkby Green Neighbourhood Plan (SKGNP) which is being consulted upon between 17 June and 29 July 2022.

North Kesteven District Council (NKDC) has provided comments on a number of previous versions of the SKGNP 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 earlier suggestions have been implemented and the plan is much improved as a result.

The aim of this document is to provide a view as to whether the submitted plan, and the policies within it, meet the basic conditions as required by legislation. It also provides 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.
- f)

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

Planning Context

It is important to note the context within which this consultation has taken place from a local planning perspective. At the time of this consultation commencing, the Local Plan had completed its Regulation 19 Consultation and it was submitted to the Secretary of State in the latter stages of this consultation. The examination has therefore commenced on the local plan.

Whilst the Local Plan is at an advanced stage of production, there are outstanding objections to a number of draft policies, site allocations and the plan as a whole. It remains to be seen what the examination will result in and

therefore this assessment has only been undertaken against the adopted 2017 Local Plan. However, it should be noted that at the time this neighbourhood plan is being examined, so will the emerging local plan which proposes a significant number of changes to the policy context of the SKGNP. The submission local plan, and its evidence can be viewed at <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-review/>.

Conclusion

Overall, it is considered that the SKGNP contains a number of policies, or parts of policies, which meet the basic conditions but that some further amendments are required in order to ensure that the plan as a whole meets them. It is considered that, subject to the proposed amendments in the below assessment, the plan meets the Basic Conditions as required by the regulations and therefore should proceed to referendum. With these changes the plan is in general conformity with both the adopted Central Lincolnshire Local Plan and it is consistent with national policy.

Review of the Draft Plan

This section provides a detailed review of the document being consulted on at the pre-submission stage. Where relevant it includes comments about the basic conditions and suggestions for proposed wording changes. For the avoidance of doubt, where no comments are provided against part of a policy, this means there are no significant concerns about it from a basic conditions or deliverability point of view.

Location	Comments	Changes recommended
Objectives	Objective 9 has been amended in response to comments made by NKDC at the Regulation 14 consultation. However, it has been noticed that in that consultation there were two objective 8's and the wrong objective has been amended.	Amend the start of Objective 9 to read, "To ensure that future development minimises its impact on the environment by..." as it did in the Regulation 14 Pre-submission Consultation.
	Objective 10 does not fit with the wider wording of the objectives. Amending the start of the objective to 'To ensure development is not at risk of flooding and does not increase flood risk...'	Amend the start of Objective 10 to read "To ensure development is not at risk of flooding and does not increase flood risk."
Para 42	The wording of this paragraph references the emerging Central Lincolnshire Local Plan, which is unlikely to be adopted when this plan is examined. It is not necessarily	

			something that requires amendment, but it could equally apply to the adopted Local Plan policies LP2, LP4 and LP55.	
		Map 2a and 2b	These maps should have a legend to clarify that the development boundary is shown as the red line. Whilst in reality this is clear, it would remove any doubt.	Add a legend to maps 2a and 2b, or amend the map titles to state that the red line is the development boundary.
		Map 2b	Map 2b would also benefit from the boundary line being made clearer, potentially through use of a thicker line.	Make the boundary line thicker/more prominent on Map 2b
		Policy 1	In point c), given that the significant green gaps are all outside of the development boundary, and this part of the policy only relates to schemes within the boundary, surely their reference here is redundant? This should be removed. Furthermore, the Significant Green Gaps are not shown on Maps 5a and 5b, but 3a and 3b, and priority habitats are shown on Map 5, not 6 (and these are also outside of the settlement boundary.	Delete point 1.c).
			In point 1.f) it should be noted that only major developments are required to incorporate SuDS. This requires amendment to be consistent with national policy.	Part 1.f) of the policy should be amended to read “where required, including sustainable urban drainage systems (SuDS)...”
			In part 3 of the policy there is some ambiguity due to the use of the term “small sites”. Whilst it is considered that this is likely intended to be limited to sites that can accommodate only one or two dwellings, the definition of small sites in paragraph 143 of the plan and the somewhat loose wording here, result in it not being clear enough.	Part 3 of the policy should be amended to read “Within the Development Boundaries residential development on infill sites will typically be limited to sites that can accommodate no more than one or two dwellings.”
		Policy 2	The wording of part 2 of this policy requires amendment to be consistent with national policy and clear for decision makers. Firstly, the use of the term “will only be considered” is suggestive that an application will not be validated which is not appropriate. Secondly, would	Amend the wording of part 2 to read “Any development proposal within a Significant Green Gap not satisfying part 1 of this policy will only be acceptable where the benefits of development

			<p>alternative locations mean sites outside of the settlement boundary or just within it?</p>	<p>significantly and demonstrably outweigh the adverse impacts.”</p>
			<p>In part 3 of the policy it refers to the view cones, with a footnote clarifying that these are the blue shaded areas on the maps, but on maps 4a and 4b there are two different tones of blue/grey. Furthermore, View 4 does not have a cone as it is a linear view (it is noted that this was in response to comments from NKDC, but to be consistent with the wider policy it does require a cone to be provided). This is therefore unclear as to where this policy would apply.</p> <p>Furthermore, in order to be aligned to national policy it should also allow for adequate mitigation to be put in place for development within these cones as development could potentially be screened or could improve a view by virtue of good design.</p>	<p>It must be made clear where this part of the policy will apply, either through making the view cones a single colour and making sure there is a cone for View 4 (and this can be a narrow cone to reflect the linear nature of the view) or by changing the wording of the policy.</p> <p>Provided this policy is made clearer it also needs to be adjusted to allow for appropriate mitigation and good design/schemes which can enhance the views. To do this the last sentence can be reworded as “Development proposals within a Key View should not obstruct or diminish the view. Development proposals that enhance the view will be supported subject to other policies in the development plan.”</p>
			<p>Part 4 of the policy seems to be trying to do too much, resulting in a lack of clarity and applicants needing to demonstrate their scheme’s compliance with guidance which is largely irrelevant. The SKGNP group have commissioned a design code which takes account of the wider landscape character assessment. As such it seems logical to strip this part of the policy right back to refer only to this design code.</p>	<p>Amend part 4 of the policy to read “Development proposals should incorporate all relevant design principles in the Scopwick and Kirkby Green Design Code 2020 including taking into account relevant built and landscape characteristics.”</p>

			In part 5 the wording doesn't scan correctly and needs to be amended.	Part 5 of the policy should have "...and will be supported" deleted from the end.
			In part 7 it should be clear that this only relates to proposals at the edge of the village.	Amend the start of part 7 to read "Development at the edge of the development boundary should..."
		Para 72	The reference to the Environment Bill should be updated to reflect it is now an Act.	Replace "Environment Bill enacted in November 2021" with "Environment Act 2021".
		Policy 3	The 10% uplift in biodiversity mentioned in part 1 of the policy is not expected to be enacted until late 2023 and as such this requirement is a little premature and needs to be amended in order to be compliant with legislation.	Amend part 1 of the policy to read "As appropriate to their scale, nature and location development proposals should deliver biodiversity gain in line with the latest legislative requirements."
			In part 1d) SuDS are no longer known as sustainable urban drainage schemes.	Remove the word "urban" in part 1.d).
			Part 2 of the policy refers to the six Tree Planting Principles and it is noted that these are included in paragraph 69. It may be helpful to reference this location in the policy to make it clear for readers where to find these principles.	
		Para 75	In the second line "mean" should presumably be "meet".	Correct the typo in para 75 from "mean" to "meet".
		Policy 4	This policy is considered to meet the basic conditions and is consistent with national policy.	
		Policy 5	In the policy title and the policy itself reference is made to non-vehicular routes. However, in the supporting text it suggests that this relates to both walking and cycling routes, with the latter being a vehicle. As such the	Replace the term "non-vehicular" with "walking and cycling" in both the policy title and the policy.

			wording requires some minor amendment to provide clarity.	
			In part 1.a) of the policy it is not clear what would constitute a non-vehicular route detracting from the landscape character. Does this mean any resurfacing works or is it relating to lighting or other urbanising features? It would be much clearer if this could be defined.	Add more detail to part 1.a) of the policy to clarify what would represent a detraction from the landscape character.
			In point 1b) “locally protected habitats” should be just protected habitats.	In part 1.b) remove the word “locally”.
		Policy 6	This policy is considered to be unnecessary duplication of national and local plan policy, whilst at the same time presenting a less precise position, which could serve to undermine current policy. Additionally, statements such as that in part 6 of the policy do not serve any purpose. Furthermore, much of the policy cannot be applied to non-major development and statutory sewerage and water providers do not comment on non-major development proposals. Given these issues it is recommended that this policy be deleted.	Policy 6 should be deleted.
		Paras 118, 119 and Table 6	These paragraphs and table do not relate particularly to the policy and the statement that, given house prices are higher, means that development should exhibit high quality of design is unfounded. Good design can and should be at the heart of all development.	Delete paragraph 118 and 119 and Table 6.
		Para 128	This paragraph references Policy 7 (6)(7)(8), but Policy 7 only has 7 constituent parts.	Amend paragraph 128 to “Parts 5, 6 and 7 of Policy 7...”
		Policy 7	Part 5 of the policy offers little over and above part 6 and as such its purpose in the policy is unclear.	Either delete part 5 of the policy or merge it with part 6.

			In part 7 of the policy there is concern about supporting the retrofit of renewable energy on designated or non-designated heritage assets. It is likely that few will be acceptable in practice and, as such, the wording should be made slightly more restrictive so that proposals will only be supported where their significance is sustained or enhanced. This would also be more aligned to the NPPF.	Amend part 7 to read “The retrofit of designated and non-designated heritage assets to reduce energy demand and generate renewable energy will only be supported where the significance of the heritage asset, including its setting, is sustained or enhanced.”
		Policy 8a	<p>Whilst it is recognised that this policy sets out some of the findings of the Housing Needs Assessment undertaken for the parish, it is unclear how it should be used for decision takers. Affordable housing is given adequate coverage in Policy LP11 of the adopted Local Plan.</p> <p>Part 1 of the policy is just a statement of need in the area, but doesn’t say what should be done with this in making decisions on applications.</p> <p>In part 2, there is no issue with requiring affordable housing schemes to be consistent with design requirements and to integrate with the area, but it is unclear how a scheme can be consistent with the standard of private and public spaces – is this referring to another policy specifically.</p>	Given the uncertainty in this policy it is recommended that it is deleted.
		Policy 8b	Whilst there are no fundamental concerns about this policy, it may be beneficial to add a sequential approach to sites to prioritise sites immediately abutting the village prior to more isolated sites being considered.	
		Policy 8c	Whilst the overall aim of parts 1 and 2 of this policy is understood – seeking to prioritise 2-3 bed dwellings, with any exceptions requiring justification – the wording should be amended to improve clarity and better align it to	Parts 1 and 2 of the policy should be merged and reworded as follows, “Development proposals that include new dwellings should seek to

			national policy and the development plan, including providing more flexibility to allow for exceptions.	contribute to the local housing need for 2 or 3 bed dwellings wherever possible. Any proposal not including the provision of one or more 2 or 3 bed dwelling should be justified by a clear demonstration of why such provision will not be appropriate at the site taking into account character and the site context or through a viability appraisal which clearly indicates that it would render the development unviable.”
		Policy 8d	It would be helpful if the policy title were on the following page with the rest of the policy.	
			It is unclear how this policy will be effective. As a commercial venture, surely such a development would not occur if there were no need. Furthermore, requiring support from health and social care services may introduce an unreasonable amount of uncertainty for any developer – for example the services may not have concerns but not specifically support the scheme.	This policy should be amended to “The redevelopment of the Limes as a residential care home is supported in principle. Early engagement with statutory social and health care bodies is recommended to ensure that the scheme will maximise the meeting of needs.”
		Policy 9	Seeking to improve pre-application engagement (as is sought in 1.a of this policy) is generally supported, but it is unclear why it is only this policy where such engagement is being specifically sought. This arguably sets a higher bar for proposals for new community facilities than for other uses.	
			The term ‘equally accessible’ in part 2 of the policy is imprecise. Instead it should be judged as being in an accessible location for residents.	It is recommended that the end of part 2 is amended to read “...provided in an

				accessible location to residents of the parish.”
			Part 3 is a very specific requirement, and it is uncertain whether it would be acceptable in all circumstances, but in principle there is no objection to this policy being included.	
		Policy 10	It is not clear how the Local Planning Authority can require superfast broadband speed to be provided in development when it may not be available locally so could be outside of a developers control.	Amend part 1 of the policy so that it ensures adequate ducting for broadband to be provided to the street location, connecting to any superfast connections that may be available.
			The wording of part 2 of the policy suggests that masts will only be supported where they are within the Significant Green Gaps or where they will not detract from the Key Views. This is based on suggested wording from NKDC at the previous consultation, but it needs to be amended slightly to be more precise and reflect what the SKGNP group want to achieve.	Part 2 of the policy should be amended to “The erection of 4G and 5G masts will only be supported in locations outside of the Conservation Area, Local Green Spaces, Significant Green Gaps or where they will not detract from the Key Views. Masts and associated infrastructure should be located to minimize impacts on landscape character.”
		Para 177	This is very specific and it is questioned if it is deliverable in practice. It is recommended that this paragraph is deleted. The use of the word erosion is also unclear as it is suggestive of the actual erosion of the materials in the buildings – it is not clear if this is what was meant.	Delete paragraph 177.
		Policy 11	Point 1 of the policy is not policy as such, and referencing nominated (not confirmed) structures is not appropriate for policy as worded. It largely duplicates what is said in paragraph 176. It also offers no guidance for decision	Part 1 of this policy should be deleted.

			makers on how it should be used. This policy should relate specifically to identified non-designated heritage assets on the local list, which then will hopefully include the three additional structures if they meet the criteria.	
		Policy 12	There are some heritage assets which could be covered by this policy. Therefore, in order to ensure that this policy is consistent with local plan and national policy, reference should be made to heritage assets.	Add a new point 3 as follows: "Any proposal to convert a redundant agricultural building which is a designated or non-designated heritage asset will only be supported where it will protect the significance of the asset and, where possible, better reveals the significance of the asset."
		Policy 13a	In part 1.e) it would be preferable if the number of 2-3 bed dwellings could be clarified – is it a proportion of the homes to be provided or all of them? Whilst it is noted that there is a cross reference to policy 8c, this point should be clarified here.	Part 1.e) should be amended to read "e) the dwellings include a proportion of 2 or 3 bed homes..." If this proportion can be specifically set and has been agreed with the promoter, this would be ideal.
		Policy 13b	There are no remaining concerns about this allocation.	
		Policy 13c	There are no remaining concerns about this allocation.	
		Policy 13d	The numbering in this policy requires amendment with 2-4, being amended to a-c.	Bullet points 2, 3, and 4 should be replaced with a, b, and c.
		Policy 13e	In order to avoid conflict between this allocation and the key view at this site in Policy 2, some additional wording should be provided in part 1.a) either to focus development to the west of the site, or to be clear that the visual links to the countryside should be uninterrupted.	Part 1.a) of the policy should be amended to read "a) the layout provides clear, uninterrupted visual links from Main Street to the open countryside to the north;"
			In part 2 of the policy it references Policy 8c "small dwellings and bungalows". However, bungalows are not referenced in Policy 8c.	The end of the last sentence in part 2 of the policy should be amended to

				“...and policy 8c (mix of housing types).”
			The third part of the policy is bulleted 7. This should be 3.	The third bullet should be amended from 7 to 3.
		Policy 13f	Part 1.f) of the policy does not make sense as written and needs to be amended.	Amend part 1.f) of the policy to read “f) development will not cause harm to the setting of the listed buildings to the east of the site.”
12	Resident 1	<p>Introduction to Comments referenced 1 – 5</p> <p>I was the person who initiated the process of a neighbourhood plan for my parish of Scopwick and Kirkby Green and was elected chairman of the Neighbourhood Plan Group at its inception I have headed up an architectural and planning practice for many years including housing projects and could see the rightness of what the Government’s Locality Act aimed to achieve for the social wellbeing and prosperity of communities.</p> <p>The key principle of the Neighbourhood Plan set out by Government is that it is driven by the people of the parish through their being involved in its formation and development. Where this is absent the Plan becomes the product of the wishes of a steering group who, however well intentioned, make the mistake of merely requiring the community to comment on what is presented by the group for their consideration. Matters outside their preferred choices are treated as off the agenda, never to receive the communities views on them. This practice is also refuted by Locality in its guidance on the development of neighbourhood plans.</p> <p>In the case of the Scopwick and Kirkby Green Draft Neighbourhood Plan that approach taken by the Neighbourhood Plan Group was challenged on several occasions who on every occasion refused the challenge, sometimes even refusing to offer any reason for doing so.</p> <p>I have therefore felt obliged to oppose the Plan at this consultation stage.</p> <p>In doing so it is not my wish to see the Plan totally rejected by an Examiner. If the Examiner were to suggest ways where some of those errors were put right, then clearly that would be acceptable.</p>		

In making these statements at the Consultation stage it is also hoped that the Examiner refer the issue to the Secretary of State responsible for Neighbourhood Planning drawing his/her attention to the defects in the application of the proper procedures such as here outlined that may all too often be common practice in producing neighbourhood plans.

Comment 1

This relates to the Consultation Statement Introduction.
This is here being Opposed.

Details

The Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government guidance on the Localism Act states

Where a parish or town council chooses to produce a neighbourhood plan or Order it should work with other members of the community who are interested in, or affected by, the neighbourhood planning proposals to allow them to play an active role in preparing a neighbourhood plan or Order.

Furthermore, Paragraph: 015 Reference ID: 41-015-20160211 states

What is the role of the wider community in neighbourhood planning?

A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order
- is made aware of how their views have informed the draft neighbourhood plan or Order.

And furthermore, Locality, the organisation set up to administer the implementation of neighbourhood plans, advises against proposals simply being presented to communities for their approval by a steering group committee which Locality views which they describe as merely “tokenism” and not proper involvement by the community.

		<p>Against this advice the Neighbourhood Plan Group (NPG) has failed to act appropriately to allow active engagement in the emerging Plan.</p> <p>This is further demonstrated in the ensuing comments.</p> <p><u>Comment 2</u></p> <p>This relates to the Consultation Statement Pre-Regulation 14 Consultation. This is here being Opposed.</p> <p>Details Pre-Regulation 14 Consultation</p> <p>Para 2. States that Meeting Agendas and Minutes were posted on the PC website.</p> <p>For the most part the NPG relied on the PC website to keep the community informed of ways forward in the formation of the Plan.</p> <p>These largely consisted of the records of the meetings of the NPG which were dealt with as Action Minutes and for the most part omitted to record the actual discussions that led to the decision taken at the meeting.</p> <p>This method prevented the public having a full understanding of the issues involved or any options or alternative ways forward being discussed and their ability to understand the options involved and diminished their ability to become fully engaged.</p> <p><u>Comment 3</u></p> <p>This relates to the Consultation Statement Pre-Regulation 14 Consultation.. This is here being Opposed.</p> <p>Details</p> <p>Para 12. Objectives.</p>
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		<p>The establishing of Objectives is a stage in the formation neighbourhood plan that significantly affects the parameters to its eventual outcome.</p> <p>A proposed draft Vision and a set of Objectives (V&Os) was prepared by the NPG and put to the community via the website. There was no initial involvement by the the community in this. In order to help the community better understand the significance to the neighbourhood plan and its purposes a proposal was put to the NPG to include a briefing paper that explained these issues in plain English (Minute 4 NPG meeting 06.07.20), but this was not supported by the NPG.</p> <p>Responses to the proposed V&Os were not made public and there was no evaluation made summarising the results of this consultation. Appendix E in the Statement makes no reference to this. The consequences are that it is doubtful that the community understood or were able take much interest. In the matter.</p> <p><u>Comment 4</u></p> <p>This relates to the Consultation Statement Pre-Regulation 14 Consultation.. This is here being Opposed.</p> <p>Details</p> <p>Site consultation.</p> <p>13 Invitation to landowners (i)</p> <p>At an early stage in the formation of the plan a proposal was put to the NPG for the development of two adjacent areas of land on each side of the Beck to the east of No 36 Brookside and backing onto Main Street to convert to public amenity space extending existing eastward the existing green amenity area surrounding the Beck.</p> <p>The NPG initially refused to consider this proposal. The Chairman noting the merits of the proposal, (it made use of unused land), asked for it to be put to the NPG specialist planning consultant, Helen Metcalfe, a meeting was arranged for her professional view on the matter. The Chairman was prevented from attending the meeting. The minutes of</p>
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this meeting made no reference to the matter and the members of the NPG who attended it refused to give any report on it to the Chairman of the NPG. There after the matter was considered as closed by the NPG.

Subsequently the matter was raised again at the time of the NPG,s letter inviting landowners to offer sites for development. The NPG again refused to enter into any discussions with the landowner regarding the proposal (site Scop 14).

Recognising that the NPPF, the CLLP, and the policies of the Draft Neighbourhood Plan support the creation and enhancement of amenity spaces within settlements the NPG have ignored the communities right to be consulted at all on this matter..

Comment 5

This relates to the Consultation Statement Pre-Regulation 14 Consultation..
This is here being Opposed.

Details

Site consultation (ii).

The NPG issued an invitation to all landowners to offer sites or development and these were assessed by AECOM who rated each site as either green, amber or red, sometimes also adding a comment that these might be evaluated were measures to mitigate a sites drawbacks. The record of the NPG meeting on 08.06.20 stated that landowners with sites coded amber or green should be contacted, but there is no record of this having been actioned.

Instead ,at a meeting of the NPG on 05.10.20 the NPG para.6 resolved on identifying six preferred sites, three of which were coded amber, and to hold informal discussions with their respective owners. it was also agreed that remaining amber sites were thought to have valid and reasonable scope for development.

Subsequently a document setting out proposals for the development of sites was issued in the form of a questionnaire was issued to all to all residents for consideration. Site KG 4 was not included in this document. Despite being coded amber and reported by AECOM to be possible for development with the addition of suitable measures in place to mitigate its drawbacks.

		<p>On his own initiative the landowner of site KG 4 approached the NPG with an offer to limit development on his site to two dwellings and to offer to transfer the remaining land to the community for use as amenity space. At a meeting of the NPG the NPG refused to even consider this offer or to enter into discussions with the landowner. Despite it being pointed out that the proposals matched those that were being put forward for sites Scop 3 and 4 which the latter had received a code red in the AECOM report.</p> <p>The Vice Chairman of the NPG took the matter to a meeting of the Parish Council for decision. Four members of the PC were present, two of which were members of the NPG opposing the inclusion of site KG 4. The PC resolved to agree with the decision of the NPG and exclude site KG 4 from consideration by the community.</p>