



CAYTHORPE AND FRIESTON NEIGHBOURHOOD PLAN: POST EXAMINATION DECISION NOTICE

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

Introduction

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations in the Caythorpe and Frieston Neighbourhood Plan Independent Examiners Report, which was presented to the Council on the 14 February 2023

This decision statement, the Independent Examiner's Report, the submission version of the Caythorpe and Frieston Neighbourhood Plan and supporting documents can be viewed on the Council's website at the following

Link - <http://www.southkesteven.gov.uk/CaythorpeandFrieston>

Background

The Town and Country Planning Act 1990 (as amended) places a statutory duty on South Kesteven District Council to assist communities in the preparation of Neighbourhood Plans and to take Neighbourhood Plans through a process of examination and referendum. The Localism Act 2011 sets out the Local Planning Authority's responsibilities under neighbourhood planning.

The Caythorpe and Frieston Neighbourhood Plan relates to the 'Caythorpe and Frieston Neighbourhood Area' which was designated on the 25 June 2020. The 'Caythorpe and Frieston Neighbourhood Area' also covers the same area as the Caythorpe and Frieston Parish Area.

Caythorpe and Frieston Neighbourhood Plan working group (on behalf of Caythorpe and Frieston Parish Council as the Qualifying Body) undertook a draft consultation on the Neighbourhood Plan from 18 February 2022 until 1 March 2022.

The Caythorpe and Frieston Neighbourhood Plan was submitted to South Kesteven District Council on 23 June 2022. In accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) the submission version of the Neighbourhood Plan was made available for comment. This statutory consultation took place from 14 September 2022 and the 26 October 2022.



Independent Examination

An Independent Examiner was appointed to carry out the examination of the Caythorpe and Frieston Neighbourhood Plan. The Independent Examiner examined the Caythorpe and Frieston Neighbourhood Plan by written representations, and undertook an unaccompanied site visit of the Neighbourhood Plan Area

The Independent Examiner's Report was issued on the 14 February 2023. The report concluded that, subject to a series of modifications, the Caythorpe and Frieston Neighbourhood Plan meets the basic conditions and other statutory requirements outlined in regulations. The Independent Examiner's Report also recommended that, subject to the modifications proposed in the report, the Caythorpe and Frieston Neighbourhood Plan can proceed to referendum.

Once the Council receive the Examiner's report, they must consider each of the recommendations and the reasons for them and decide what action to take. The Council must also consider whether the area to which the referendum is to take place should be extended.

Decision and Reasons

The Council has considered each of the recommendations made in the Independent Examiner's report and the reasons for them. The Council, in collaboration with the Caythorpe and Frieston Neighbourhood Plan working group has decided to accept all of the recommended modifications to the submission version of the Caythorpe and Frieston Neighbourhood Plan. The modifications are set out in **table 1 below**.

The Council considers that, subject to the modifications set out in table 1 being made, the Caythorpe and Frieston Neighbourhood Plan meets the basic conditions set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and is compatible with the Convention Rights and meets the requirements of paragraph 8 (1) of Schedule 4B to the Town and Country Planning Act (as amended).

The Independent Examiner concluded that there is no need for the referendum boundary to extend beyond the designated neighbourhood area. The Council has considered this recommendation and the reasons for it and decided to accept it. The referendum area for the Caythorpe and Frieston Neighbourhood Plan will therefore be the 'Caythorpe and Frieston Neighbourhood Area' (i.e. The Parish Area)

This decision was made on the **10 March 2023** on delegated authority by the Assistant Director of Planning who is authorised to make decisions in respect of Neighbourhood Planning which includes decisions on the examination and referendum of Neighbourhood Plans as set out through South Kesteven District Councils [Constitution](#). The delegated decision can be found at the following.

Link – modern.gov.southkesteven.gov.uk/ieDecisionDetails.aspx?Id=1287





Referendum

In line with the Neighbourhood Planning Regulations (referendums) 2012, the referendum of the Caythorpe and Frieston Neighbourhood Plan will be held on the **4 May 2023**.

Signed

Emma Whittaker

Assistant Director of Planning

Date – 13 March 2023



Table 1 – Modifications to the Caythorpe and Frieston Neighbourhood Plan

Policy Reference	Recommended Change	Response	Reasoning
Policy 1	<p>Delete criteria C and D</p> <p>In E replace 'Development' with 'Any new development'</p>	Accepted	<p>Parts of the policy criteria would not be defined as 'infill development' as anticipated by the policy, therefore these have been removed</p> <p>Text has been modified to provide the clarity required by the NPPF and to ensure the language is consistent with that used elsewhere in the policy</p>
Policy 2	<p>Delete the opening element of the policy</p> <p>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.</p> <p>In part B delete 'to rent or affordable home ownership'</p>	Accepted	<p>Parts of the policy have been removed as they add no value to the specific elements of the policy</p> <p>Text has been replaced to 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</p>
Policy 3	<p>Replace the policy with:</p> <p>'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:</p> <p>(A) Respond positively to the technology for the delivery of energy efficient buildings;</p> <p>(B) Enhance the character of their surroundings, particularly if they are within or visible from the conservation areas;</p> <p>(C) Respect the height of surrounding houses;</p>	Accepted	<p>The policy has been recast so that it makes an initial statement about the need for high quality and distinctive solutions. The policy has also become more general in its application and references to none planning related issues have been removed.</p>



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	<p>(D) Incorporate boundaries that are appropriate for their location; (E) Have driveways of permeable material;</p> <p>(F) Incorporate trees on the site where space permits; and</p> <p>(G) Have two off-road parking spaces and incorporate a charging point for electric vehicles.'</p>		
Policy 4	<p>Replace the second part of the policy with:</p> <p>'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'</p>	Accepted	<p>Text has been modified to provide the clarity required by the NPPF</p>
Policy 5	<p>Replace the opening element of the policy with:</p> <p>'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:'</p> <p>Replace C with:</p> <p>'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</p>	Accepted	<p>Parts of the policy have been combined to provide a broader context to the specific policy criteria. In addition, text has been modified to provide the clarity required by the NPPF</p> <p>Specifically, Part E of the policy has been deleted and repositioned into the supporting text as It explains how the policy will be applied rather than functioning as policy</p>



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	<p><u>Supporting text modifications</u> <i>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’</i></p>		
Policy 6	<p>Delete the opening element of the policy.</p> <p>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.’</p> <p>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.’</p> <p>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.’</p> <p><u>Supporting text modifications</u> <i>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.’</i></p>	Accepted	<p>Parts of the policy that add little value to the details in the four component parts of the policy have been removed.</p> <p>Parts of the policy have been modified to be more directly applicable to the development management process</p> <p>Text has been modified to provide the clarity required by the NPPF</p>



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Policy 7	<p>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:</p> <p>‘Development proposals which enhance or improve the identified open spaces and recreation facilities will be supported.</p> <p>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.’</p>	Accepted	<p>Text has been modified to provide the clarity required by the NPPF.</p> <p>Parts of the policy have been reworded so that the second part of the policy is consistent with the wording in the first part of the policy.</p>
Policy 8	No Recommended Changes	N/A	
Policy 9	<p>Replace the policy with:</p> <p>‘The Plan identifies the following important community facilities:</p> <ul style="list-style-type: none">• The Primary School;• Caythorpe Convenience (Spar) Store and Post Office;• The Waggon & Horses and The Red Lion public houses; Caythorpe and Frieston Neighbourhood Plan – Examiner’s Report 21• Caythorpe Surgery; and• Caythorpe playing field and children’s playground. <p>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.</p>	Accepted	<p>The order of the policy has been reversed so that it lists the facilities at the outset</p> <p>Text has been modified to provide the clarity required by the NPPF</p> <p>Part of the policy on proposals which would result in the loss of existing facilities has been reconfigured so that it clarifies only ‘one’ of the three exceptions needs to be met.</p>



Table 1 – Modifications to the Caythorpe and Frieston Neighbourhood Plan

	<p>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.</p> <p>Insofar as planning permission is required, proposals that would result in the loss of an important community facility will not be supported unless:</p> <p>(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.'</p>		
<p>Policy 10</p>	<p>Delete part B of the policy</p> <p><i><u>Supporting text modifications</u></i> <i>At the end of the first paragraph of supporting text add:</i> <i>'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 Caythorpe and Frieston Neighbourhood Plan – Examiner's Report 22 and/or which would generate HGV traffic should be supported by a Transport Assessment or Statement.'</i></p>	<p>Accepted</p>	<p>Parts of the policy have been relocated into the supporting text as it is describing a process to be followed rather than setting out a policy.</p>



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Policy 11	Replace 'or create obstacles to the use' with 'or detract from the attractiveness'	Accepted	Part of the policy regarding obstacles has been replaced with a more general reference as any specific obstacles to footpaths would be a highways matter.
Policy 12	Replace the policy with: 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'	Accepted	Text has been modified to provide the clarity required by the NPPF While it is considered that the retention of the traditional phone box in the village has considerable social merit, it has been removed due to it not being a land use planning matter
Policy 13	In criterion B replace 'it is' with 'they are	Accepted	Amendment to part of the policy so that it reads in a consistent way with the plural nature of the preceding part of the policy.
Non-Policy Recommended Changes			
General Modifications	<i>Include the retention of the phone box as an addition bullet point in CA3</i>	Accepted	Retention of the community phone box is better placed as a community aspiration, rather than a land use policy.
General Modifications	<i>Modification of general text (where necessary) to achieve consistency with the modified policies</i>	Accepted	To allow for minor text amendments due to formatting or grammatical errors.
Specific Modifications	<i>Under the heading 'Caythorpe and Frieston in the National Planning Policy Framework and Local Plans' (page 3)</i> • <i>Replace the last sentence of the second paragraph with: 'Grantham as a subregional centre – Stamford, Bourne and the Deepings as Market Towns and Caythorpe and Frieston Neighbourhood Plan – Examiner's Report 25 then fifteen larger villages have been identified as areas of</i>	Accepted	Factual modifications to the document.



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	<p><i>growth and will accommodate development within the period covered by the Local Plan.'</i></p> <ul style="list-style-type: none"><i>• In the third paragraph/first sentence replace 'Caythorpe' with 'Caythorpe & Frieston'</i><i>• 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'</i><i>• In the fourth paragraph clarify that the commentary is from Policy SP3 of the Local Plan</i><i>• 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.'</i>		
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