

Stathern Neighbourhood Plan 2020-2036

Initial Comments of the Independent Examiner

Prepared by

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16th March 2021

Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the Stathern Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents which I have been sent. I visited the village of Stathern and its beautiful countryside on Monday 15th March 2021.
2. My preliminary view is that I should be able to deal with the examination of this Plan by the consideration of the written material only. I do have to reserve the right to call for a public hearing, if I consider that it will assist my examination, but that may only be necessary, if there are issues that emerge from the responses to this note, which I feel warrant further exploration. In the unlikely event that I do have to call a hearing, it would have to be via a video conference call, in the current COVID 10 climate.
3. Set out in the following paragraphs are a number of matters that I wish to receive, either clarification or further comments / information from the Parish Council or in some cases from Melton Borough Council. Such requests are quite normal during the examination process and the replies will help me prepare my report and come to my conclusions.

Regulation 16 Comments

4. I would firstly like to offer the Parish Council the opportunity to comment on the representations that were submitted as part of the Regulation 16 consultation. I am not expecting a response in respect of every point, just those that the Parish Council feels it wishes to respond to.

Strategic Policies

5. Can Melton Borough Council confirm which of Local Plan policies are, for the purpose of the basic condition, the strategic policies that the neighbourhood plan has to be in general conformity with?

Screening Assessments

6. I would be grateful if Melton Borough Council could send me copies of its screening reports for both the SEA and HRA.

Policy H1 – Limits of Development

7. With the recent granting of the appeal against the refusal of application 19/01193/ OUT, does the Parish Council have a view as to whether the settlement boundary should be enlarged to include that land within the village envelope? If it does, can I be provided with a revised Figure 2.
8. Does the Parish Council have a view on whether the remainder of STAT 3 should be shown within the settlement boundary and also whether it should be identified as a reserve site for the purpose of Local Plan Policy C1B(iii)? If planning permission were to be granted for its development, would the Parish Council wish to see that development treated as being within the settlement boundary, rather than open countryside.

9. Can Melton BC provide me with an update on the position with regard to STAT 1. Has planning permission been issued and is there a likely date for its implementation?

Policy H2- Windfall Sites

10. Does the Parish Council recognise that there will be a residual local housing need once the site allocations are developed?
11. Can the Borough Council indicate how it would see rural exception sites being developed, under Local Plan Policy C5, if windfall development can be allowed on land adjoining but outside the settlement boundary under Policy SS3 of the Local Plan.

Policy H5 – Housing Design

12. Under criterion o) what benchmark / standard of housing is the Parish Council expecting to be used “that allows for an acceptable standard of access and use”?

Policy ENV 1- Local Green Spaces

13. If some spaces are already designated as LGS in the Melton Local Plan, what is the value in the Neighbourhood Plan duplicating that designation?
14. Some sites are designated as both LGS and as Important Open Space. As LGS is a higher level of protection, can the Parish Council explain what it sees as the benefit of designating them also as Important Open Space, which provides for circumstance when they could be lost. Surely the policies are incompatible?
15. Can Melton BC point me to the local plan policies that identify and protect the local plan designated spaces?

Policy ENV 3- Sites of Natural Environmental Significance

16. Can the Parish Council explain the relationship between the sites identified as Sites of Natural Environmental Significance and the habitat areas shown in Figure 7?

Policy ENV 8 – Ridge and Furrow

17. The policy refers to Figure 13, but that is the Footpaths, Bridleways and other Walking Routes map – should the policy be referring to Figure 11.3?

Policy ENV11 – Flood Risk Resilience

18. I note that the plan refers to areas observed to flood in 2019-20. How were these areas mapped, is there any documentary evidence of that flooding and has the flooding been notified to the Environment Agency and the Lead Local Flood Authority to update their records? Would Melton BC clarify whether on this basis, it would be requiring applicants for development on sites shown coloured mauve, to have to submit a Flood Risk Assessment?
19. Can Melton Borough Council confirm that the areas which are shown within the allocation sites as being liable to flooding, was a matter taken into consideration

during the local plan allocation process, as development plan allocation sites will not have to demonstrate a sequential approach, as is implied by criterion a) of the policy?

Policy CFA1- Retention of Community Assets and Facilities

- 20. The village garage, café and shop are referred to in the supporting text but do not appear in the list of community facilities in the policy? Is that a deliberate omission ?
- 21. Can the Parish Council justify why the Grantham Canal constitutes a community facility, in terms of meeting the criteria set in paragraph 6.1.1?
- 22. Do proposals have to meet each of the criterion in the policy or just one?

Policy CFA4- Protection of Toft's Hill Environment

- 22. Will not the aspirations of the policy, to prevent the existing pattern of development being extended up the hill be achieved by the Limits of Development Policy, Policy H1?
- 23. Can the Borough Council give any indication as to when a decision on the redevelopment of the dilapidated agricultural buildings on the early part of the footpath, is likely to be made. I saw a site notice during my muddy walk-up Tofts Hill.

Policy BE1- Support for Existing Business and Employment

- 24. Will a proposal have to demonstrate compliance with just one, or both of the requirements in the policy?

Policy BE3- Home Working

- 25. Are the Parish Council's expectations of the policy, that non-residents will be able to work within the buildings created under this policy?

Policy BE5 – Tourism

- 26. What would be the Parish Council's view of a proposal to create a tourism business outside of the village e.g. someone wishing to start up a bed and breakfast establishment?

Concluding Remarks

- 27. I am sending this note direct to Stathern Parish Council, as well as Melton Borough Council. I would request that the two parties' response to my questions should be sent to me by 5 pm on **13th April 2021** and also copied to the other party.

28. I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan's and also the Borough Council's website.

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Independent Examiner to the Stathern Neighbourhood Plan.

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