

Barnack Neighbourhood Plan 2020-2036

A report to Peterborough City Council

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Examiner**

April 2021

Executive summary

I was appointed by Peterborough Council on 23 February 2021, with the agreement of Barnack Parish Council, to carry out the independent examination of the Barnack Neighbourhood Plan.

The examination was completed solely on the basis of the written representations received, no public hearing appearing to me to have been necessary. I made an unaccompanied visit to the area covered by the Plan on 25 March 2021.

Barnack is a rural parish in the far north-western corner of the unitary authority of Peterborough, about three miles south-east of Stamford (Lincolnshire). Most of its residents live in the main village of Barnack itself, with about 10% living in the separate hamlet of Pilsgate. These are settlements with a long history, reflected in their settlement patterns and architecture, although Barnack in particular has seen a significant amount of new housing in recent times.

The Neighbourhood Plan has been prepared in a way which fully accords with the strategic policies being pursued by Peterborough City Council, especially in relation to its ambitions to promote sustainable patterns of development. It aims to preserve the built heritage and natural environment of the Parish and ensure that new development respects and complements it. The Plan is also seen as one mechanism for integrating the community, enhancing local services and promoting the local economy.

I have concluded that, subject to a number of recommendations (principally for changes to the detailed wording of some policies), the Barnack Neighbourhood Plan would meet the basic conditions, and consequently am pleased to recommend that, as modified, it should proceed to referendum.

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Introduction

1. This report sets out the findings of my examination of the Barnack Neighbourhood Plan (BNP), submitted to Peterborough City Council (PCC) by Barnack Parish Council in December 2020. The Neighbourhood Area for these purposes largely follows the parish boundary but omits the part of Burghley Park that lies within the parish.
2. Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to help local communities shape the development and growth of their area, and this intention was given added weight in the National Planning Policy Framework (NPPF), first published in 2012. The current edition of the NPPF is dated June 2019, and it continues to be the principal element of national planning policy. Detailed advice is provided by national Planning Practice Guidance on neighbourhood planning, first published in March 2014.
3. The main purpose of the independent examination is to assess whether the Plan satisfies certain “basic conditions” which must be met before it can proceed to a local referendum, and whether it is generally legally compliant. In considering the content of the Plan, recommendations may be made concerning changes both to policies and any supporting text.
4. In the present case, my examination concludes with a recommendation that, subject to the modifications set out in my report, the Plan should proceed to referendum. If this results in a positive outcome, the BNP will ultimately become a part of the statutory development plan, and thus a key consideration in the determination of planning applications relating to land lying within the BNP area.
5. I am independent of the Parish Council and do not have any interest in any land that may be affected by the Plan. I have the necessary qualifications and experience to carry out the examination, having had 30 years’ experience as a local authority planner (including as Acting Director of Planning and Environmental Health for the City of Manchester), followed by over 20 years’ experience providing training in planning to both elected representatives and officers, for most of that time also working as a Planning Inspector. My appointment has been facilitated by the independent examination service provided by Penny O’Shea Consulting.

Procedural matters

6. I am required to recommend that the Barnack Neighbourhood Plan either
 - be submitted to a local referendum; or
 - that it should proceed to referendum, but as modified in the light of my recommendations; or
 - that it not be permitted to proceed to referendum, on the grounds that it does not meet the requirements referred to in paragraph 3 above.
7. In carrying out my assessment, I have had regard to the following principal documents:
 - the submitted BNP
 - the Consultation Report (December 2020)
 - the Basic Conditions Statement (December 2020)
 - the Strategic Environmental Assessment and Habitats Regulations Screening Report (April 2020)
 - the Strategic Environmental Assessment Screening Determination Statement (November 2020)
 - the representations made to the BNP under Regulation 16

- selected policies of the adopted Development Plan for the area
 - relevant paragraphs of the NPPF
 - relevant paragraphs of national Planning Practice Guidance.
8. I carried out an unaccompanied visit to the Plan area on 25 March 2021, when I looked at the overall character and appearance of the Parish, together with its setting in the wider landscape, and those areas affected by specific policies or references in the Plan. Where necessary, I refer to my visit in more detail elsewhere in this report.
9. It is expected that the examination of a draft neighbourhood plan will not include a public hearing, and that the examiner should reach a view by considering written representations¹. In the present case, I considered hearing sessions to be unnecessary. I should add that none of the representations received at the Regulation 16 stage included a request for a hearing.
10. I have addressed the policies in the order that they appear in the submitted Plan. My recommendations for changes to the policies and any associated or free-standing changes to the text of the Plan are highlighted in ***bold italic print***.

A brief picture of the neighbourhood plan area

11. Barnack is a parish at the northern edge of the unitary authority of Peterborough, where it adjoins South Kesteven (Lincolnshire). Its nearest main centre is Stamford, about three miles away to the north-west. At the time of the 2011 Census, the population was recorded as being 931, but the Plan estimates that (largely as a result of recent housing developments) it is now more likely to exceed 1200. Most people live in Barnack itself, but around 10% live in the detached hamlet of Pilsgate, separated from the main village by about a kilometre of open countryside.
12. The Parish has a long history, much of which is set out in the Plan document. To the visitor, perhaps one of the most interesting elements of area's heritage is the history of limestone quarrying (especially on the western edge of Barnack village); this supplied much of the material to build both Ely and Peterborough Cathedrals, as well as other abbeys and churches over a wide area, and much of the admired urban development of Stamford. According to the local information boards I saw on my visit, the main centre of this quarrying activity was abandoned by about 1500; the former workings ("Hills and Holes") have become of great significance over the years as a nature reserve, recognised at both national and international levels.
13. The physical form of the settlements is very varied, one unusual characteristic being the farms and paddocks in the core of the main village (which the BNP seeks to preserve). Each settlement has a conservation area: in the case of Barnack this has two distinct elements – that based on the historic heart around the Parish Church and the remains of the Manor House, and a significant southern extension which consists primarily of detached houses dating from the 1960s, which were included to take account of the fine landscaping planted in the 1920's in connection with the former rectory (Kingsley House).
14. A noticeable feature of the main village is its recent expansion north of the B1443, especially to the west of Uffington Road, where I was able to see that a new estate of 80 houses was nearing completion. These recent developments have resulted in the fact that the BNP makes

¹ Paragraph 9(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

no allocations for further housing development within the Plan period, a conclusion which has not been the subject of any challenge. The Plan notes that the last shop (a village store and post office) closed in 2016; the hope is expressed that the significant increase in population will make a replacement viable in due course. The last pub (The Millstone) also ceased trading in 2020, but the Parish Council have recently explained that there are good reasons for believing that it may reopen (I noted that some work was under way at the time of my visit). There is a primary school/pre-school, a village hall and three other buildings used for community activities, together with a number of open recreation areas and allotments.

15. Station Road Business Park, at the eastern end of the main village, is home to 16 businesses, employing around 45 people (only a few of whom live in Barnack). There are many attractions in the area for the tourist, with the well-known Elizabethan Burghley House and Stamford both nearby.

The basic conditions

16. I am not required to come to a view about the ‘soundness’ of the Plan (in the way which applies to the examination of local plans); instead, I must principally address whether or not it is appropriate to make it, having regard to certain “basic conditions”, as listed at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The requirements are also set out in paragraph 065 of the relevant Planning Practice Guidance². In brief, all neighbourhood plans must:

- have regard to national policy and guidance (Condition a);
- contribute to the achievement of sustainable development (Condition d);
- be in general conformity with the strategic policies in the development plan for the local area (Condition e);
- not breach, and otherwise be compatible with, EU obligations, including human rights requirements (Condition f);
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017; and
- comply with any other prescribed matters.

17. The BNP’s Basic Conditions Statement (BCS) is dated December 2020. After setting out the statutory background to neighbourhood plans, the document explains in straightforward terms how the Plan seeks to mirror and carry forward the key elements of sustainable development as set out in the NPPF (ie basic condition d). It reproduces a helpful table, which appears in the Plan itself at paragraph 2.13, that takes each NPPF strand and relates it to the BNP’s four themes and ten policies. In addition, Appendix 1 to the BCS goes into more detail by taking each policy and relating them to specific NPPF paragraphs, with the conclusion that there is a very close correspondence between the two, thus satisfying basic condition a). A similar exercise is then carried out (in Appendix 3) relating the BNP policies to the strategic policies of the adopted Peterborough Local Plan, with the conclusion that the BNP is in general conformity with these policies (basic condition e). There is also a summary of the conclusions reached by the Strategic Environmental Assessment and Habitats Regulations Assessment (see below).

Other statutory requirements

18. A number of other statutory requirements apply to the preparation of neighbourhood plans, all of which I consider have been met in this case. These are:

² Reference ID: 41-065-20140306

- that the Parish Council is the appropriate qualifying body (Localism Act 2011) able to lead preparation of a neighbourhood plan;
 - that what has been prepared is a Neighbourhood Development Plan, as formally defined by the Localism Act; that the plan area does not relate to more than one Neighbourhood Area; and that there are no other neighbourhood plans in place within the area covered by the plan;
 - that the plan period must be stated (which in the case of the BNP is 2020 to 2036); and
 - that no “excluded development” is involved (this primarily relates to development involving minerals and waste and nationally significant infrastructure projects).
19. I have also borne in mind the particular duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of “preserving or enhancing the character or appearance” of any conservation area.
20. A screening report is required in order to determine whether a neighbourhood plan needs to be accompanied by a Strategic Environmental Assessment (SEA), under the terms of the Environmental Assessment of Plans and Programmes Regulations 2004. It is the qualifying body’s responsibility to undertake any necessary environmental assessments, but it is the local planning authority’s responsibility to engage with the statutory consultees.
21. An SEA Screening Determination Statement was published by PCC in November 2020. In it, they conclude that the BNP is unlikely to have any significant environmental impacts, and therefore that an SEA is not required. The same applies in relation to the Habitats Regulations. The screening report itself is dated April 2020; full details of the considerations which support it are set out in the report, and I have been given no reasons to question any of the conclusions reached. They are also supported by Natural England, Historic England and the Environment Agency, as statutory consultees in the process.
22. It is a requirement under the Planning Acts that policies in neighbourhood plans must relate to “the development and use of land”, whether within the Plan area as a whole or in some specified part(s) of it. I am satisfied that that requirement is generally met.

National policy and guidance

23. National policy is set out primarily in the NPPF, a key theme being the need to achieve sustainable development. The NPPF is supported by Planning Practice Guidance (PPG) on neighbourhood planning, an online resource which is continually updated by Government. I have borne particularly in mind the advice in paragraph 041 of the PPG³ that a policy in a neighbourhood plan should be clear and unambiguous, concise, precise and supported by appropriate evidence.

The existing Development Plan for the area

24. Basic Condition (e) requires neighbourhood plans to be “in general conformity with the strategic policies of the development plan for the area”. For Barnack, the principal element of this is the Peterborough Local Plan (PLP), adopted on 24 July 2019. I refer to policies within the PLP as necessary at appropriate points in my report.

³ Reference ID: 41-041-20140306

The consultation exercise (Regulation 14)

25. This regulation requires the Parish Council to publicise details of their proposals “in a way that is likely to bring [them] to the attention of people who live, work or carry on business in the area”, and to provide details of how representations about them can be made. Regulation 15 requires the submission to the local planning authority of a statement setting out the details of what was done in this respect, and how the qualifying body responded to any matters which arose as a result of the consultation process.
26. The Consultation Report is dated December 2020. It describes the background to the preparation of the Plan, recording the fact that the Parish Council took the formal decision to begin work in July 2018. Section 3 deals with the options available for the designation of the Neighbourhood Area, explaining how the final choice was made to include all the land in the Parish, excluding that part of Burghley Park which lies within it on its western flank. The rest of the document describes in considerable detail the various stages in the engagement of local residents and other stakeholders and includes copies of the various flyers and questionnaires which were used in the process. I am entirely satisfied that the requirements of Regulation 14 have been fully met; and the working group are to be congratulated for having not allowed the Covid restrictions to deter them from pressing on with the submission version of the Plan.

General observations about the Plan

27. The Plan is logically presented and contains a wealth of attractive photographs and other illustrations, together with a number of tables and very clear and easily interpreted maps. The policies are properly separated from the supporting material (by being placed in shaded boxes), with the national and local context for them (including the conclusions of the public engagement process) being helpfully set out at the same time.
28. Part 1 sets the scene by explaining the intentions of neighbourhood plans as established by the Localism Act 2011; the key context for plan-making as set out in the NPPF; and the BNP’s relationship with the PLP. The geographical context is described, which is then followed by a summary of the demographic profile of the Parish. This may be set to change: while the 2011 Census recorded a population of 931, an estate of 41 dwellings has been built, and another consisting of 80 houses is nearing completion. The introduction to the Plan therefore expects that the population may soon exceed 1200.
29. After an interesting account of Barnack’s lengthy history (around 4000 years of it), and the influence that this has had on many of the Parish’s physical characteristics, Part 2 of the Plan summarises the process leading up to its preparation, including the key issues raised by those involved. This led to agreement around a vision for the village up to 2036 that is based around the objective of achieving sustainable development, in particular by
 - *“preserving the built heritage and ensuring that new development complements it;*
 - *putting the natural environment at the heart of all decisions on development;*
 - *integrating the community through the provision of shared amenities and facilities;*
 - *promoting the local economy by encouraging employment opportunities”.*
30. The vision is then supported by 18 more specific objectives, some intended to apply throughout the Parish, others relating to identified locations within it. The ten plan policies are neatly grouped around the three overarching NPPF components of sustainable development: environmental, social and economic.

Representations received (Regulation 16)

31. Neither of the statutory consultees who responded (Historic England and Anglian Water) had any adverse observations to make. This is the case also with the National Grid. Barnack Parish Council itself wished to make three small corrections (including the welcome news that the future of the only remaining pub in the village, The Millstone, now appears to be secure for the foreseeable future). These corrections do not require any formal recommendation from me. I will deal with a number of points raised by PCC under the relevant policy heads.

The policies – general comment on the basic conditions

32. Unless otherwise stated, I have concluded that, subject to any recommendations, each of the Plan's policies satisfies the basic conditions. I have therefore not made that point separately under each policy head, nor have I related the policies to specific elements of the NPPF, although I have made some references to the Local Plan.

Policy A1: Scale and location of housing development

33. The preamble to this policy sets the context. It describes how the original linear form of Barnack village has been expanded both to the north and south over the last 100 years. Pilsgate has also grown in recent times.
34. Paragraph 3.7 sets out the spatial strategy for the period up to 2036 provided by PLP Policy LP3: this assumes that around 86% of the total housing target for Peterborough (19,440) will be met within the city's urban area and planned extensions to it, 9% will be found from windfalls, and the rest (5%) will be met from development within the surrounding villages. This last category is refined by PLP Policy LP2, which identifies two Large Villages, eight Medium Villages (of which Barnack is one) and 15 Small Villages (which includes Pilsgate). The Policies Map provides each of these settlements with a village envelope, within which there is effectively a presumption in favour of additional development (deriving from Policy LP1); land beyond village envelopes is treated as open countryside, where more restrictive policies apply.
35. PLP Policy LP41 allocates certain specific sites for housing within the Medium Villages: one of these is referenced LP41.4, land west of Uffington Road in Barnack (Sissons Close), which is assumed to have a capacity of 80 dwellings. No allocation is made within Pilsgate. PLP Policy LP8 requires 30% of any housing scheme of more than 15 dwellings to be affordable – this reflects a substantial identified need within Peterborough as a whole⁴.
36. Given this background, the BNP has been drawn up on the basis that no further housing land need be identified for the Parish although, quite properly, this does not rule out a positive approach to "windfall" development on appropriate sites. However, paragraph 3.11 explains that the Sissons Close site has (or had, at the time the draft was prepared) 56 houses for sale on the open market⁵, 42 of which contain four or more bedrooms; this is seen as a failure to respond to "the current imbalance" in the housing mix, which Policy A1 therefore seeks to address.

⁴ PCC have pointed out an error in the extent of the deficit as referred to in paragraph 3.9: this should be corrected as per their advice.

⁵ A web search indicates that the site was granted outline planning permission on appeal in 2017.

37. The policy seeks to limit new housing to a maximum of five dwellings, on infill sites within the existing village envelopes. Any proposals for housing within the four farm sites must be compatible with their ongoing agricultural (or similar) use; all proposals (other than those involving single dwellings) should generally be for one or two-bedroom homes; and proposals for agricultural workers' dwellings must meet the criteria set out in PLP Policy LP11 and normally contain a maximum of three bedrooms. PCC point out that the wording of LP11 is a little more flexible than that proposed in BNP A1, and I agree with them that this discrepancy should be removed. ***I recommend that the first part of criterion 4 read: "Any proposal to build a permanent new dwelling outside the village envelopes, to enable an essential agricultural or other rural worker to live at their place of work (or in the immediate vicinity) will be supported....."*** [PCC's requested addition is that shown in brackets].

Policy A2: Built heritage and design criteria for housing development

38. Barnack has an important architectural heritage. It is described in the Conservation Area and Village Appraisal as one of England's finest stone villages, containing over 40 listed buildings, including the Grade 1 Saxon Parish Church which is visible from many locations around the village and surrounding countryside. Pilsgate has its own conservation area and a number of listed buildings.
39. Policy A2 is principally designed to expand upon PLP Policy LP19 and the supplementary planning document "Design and Development in Selected Villages". It also reflects assessments in the Conservation Area Appraisal documents for both villages. It lays down a total of 17 criteria which need to be taken into account when new development is proposed, with four additional ones where this is located within a defined part ("Zone A") of the conservation area, which covers the historic core of Barnack. In principle, the approach taken by Policy A2 is entirely proper for a neighbourhood plan; and while the first group of factors includes a number which seem somewhat prescriptive, I am satisfied that this issue is avoided by their not being expressed as requirements (and by explicitly not precluding the use of innovative designs). The second group, relating to the conservation area, is more conservative in nature, and I consider this to be justified by the circumstances.

Policy A3: Renewable energy generation

40. It is an important theme of the Plan that the Parish should make a strong contribution to the drive towards the use of more sustainable forms of energy, supporting the strategic stance on this issue being taken by the Local Plan. The BNP is, however, aware of the possible tension between encouraging the installation of the necessary equipment to achieve that objective and the desire to protect the visual qualities of the villages.
41. The key provision is that schemes proposed for houses within Zone A of the Conservation Area would only be supported if they were not visible from a road or public right of way. Similarly, solar farms in the countryside would not be supported if they are seen as being visually intrusive, and proposals will need to be accompanied by ameliorative measures at the outset. As paragraph 3.38 of the Plan says, the policy will help decision-makers decide whether the benefits of renewable energy schemes outweigh any adverse impacts in any particular case.

Policy A4: Open green spaces in the villages

42. The Plan is clear about the importance of a number of green spaces in both villages in defining their particular character, and the introductory material to Policy A4 and Map 9 identify their location and why they are of value. One of these open areas (the cricket ground) is designated in the PLP as “local green space”, four others are described in the PLP as “protected green space in village”, and two more are shown as heritage assets. These are shown on the inset maps for Barnack and Pilsgate (nos. 6 and 19).
43. The BNP seeks to consolidate and expand upon these designations. Paragraph 3.44 sets the national context for the designation of local green spaces (LGS), which is that their designation in plans “allows communities to identify and protect green areas of particular importance to them.....” Paragraph 100 goes on to say that the LGS designation should only be used where the green space is:
- *in reasonably close proximity to the community it serves;*
 - *demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
 - *local in character and is not an extensive tract of land.*
44. In applying these criteria, Policy A4 upgrades three sites to the status of local green spaces (the cricket ground remaining unaffected). Development on these sites is ruled out other than in very special circumstances. Further sites are designated as “protected green spaces”, where an assessment of any detrimental impact is also required, but a slightly less stringent level of protection is afforded. A specific requirement for any development in Barnack is that it should not compromise views of the church across these protected areas. PCC point out that the list of these protected green spaces (paragraph 4 of the Policy) omits reference to site G, which is shown on Map 9. ***I recommend that this omission be corrected.***

Policy B1: Wildlife habitats and species

45. The preamble to this policy sets out national and local objectives in relation to nature conservation and biodiversity, with particular reference to PCC’s vision⁶ and PLP policies such as LP22, LP28 and LP29. Other local initiatives and partnerships are working towards similar ends. Paragraph 3.55 says that Policy B1 “is intended to ensure that development results in net gain for wildlife”. This is expressed in a more nuanced way in the opening line of the policy itself: “Development proposals should: a) *where possible* deliver biodiversity gain ...” [my emphasis]. ***I recommend that, to avoid any possible confusion, paragraph 3.55 include the same caveat.***
46. Seven detailed aspects of the natural environment are then listed whose preservation or enhancement must be taken into account when proposals for development come forward. A full ecological appraisal is required where protected species or priority habitats are involved, together with any necessary mitigation measures.
47. PCC have suggested three relatively minor modifications, ***and I recommend that all three be adopted:***
- ***Criterion 1g) should be amended such that native species be used unless arboricultural considerations mean that they are not appropriate;***

⁶ Green Infrastructure and Biodiversity SPD (2018)

- **Criterion 2 should recognise that a full ecological appraisal may not always be appropriate: the word “full” should therefore be replaced with “proportionate”;** and
- **under same heading, the requirement should be to avoid or mitigate any threat to habitats or species.**

Policy B2: Designated wildlife sites

48. It is clear that the Parish contains a wide range of plant species, with a particular asset in the Barnack Hills and Holes National Nature Reserve, a remnant grassland created from the worked-out limestone quarries which are such a key feature of the area’s history. This site is also a Site of Special Scientific Interest and a Special Area of Conservation under the EU habitats Directive. The Parish is also home to six County Wildlife Sites.
49. Policy B2(1) states that any proposal which would damage such sites or reduce their effectiveness will not be supported unless effective amelioration measures are put in place. ***This seems to me to duplicate PLP Policy LP28: I recommend that it be deleted, with reference to the continuing relevance of Part 1 of LP28 being included instead in the preamble.***
50. The second paragraph of Policy B2 says that new housing schemes which might result in increased pressure on the Hills and Holes site might be required “to provide open space of sufficient size, type and quality to mitigate that pressure....”. I share PCC’s reservations about this element of the policy, given the degree of overlap with PLP Policy LP21 (which sets out the open space requirements for developments of 15 or more dwellings). This is a more clearly expressed framework for decision-making, which Policy B2 to some extent compromises. PCC offer two ways of dealing with this, and I consider that the second of these is a helpful compromise.
51. ***I therefore recommend that paragraph 2 of Policy B2 be replaced with: “Any new residential development scheme with the potential to have a significant adverse effect on the integrity of Barnack Hills and Holes SSSI/SAC, as a result of additional recreational pressure, may be required to provide open space of sufficient size, type and quality to mitigate that pressure, in line with policy LP21 (New Open Space, Sport and Recreation Facilities) of the Local Plan. The provision of or contribution to other mitigation measures may also be required, as per policy LP21 of the Local Plan”*** [the underlined passages are PCC’s proposed additions].

Policy C1: Village amenities

Policy C2: Sports facilities

52. Policy C1 seeks to prevent any loss of the Parish’s amenities and community facilities, while encouraging plans to improve them. Support is specifically given to any necessary development related to the continuation of education provision at the village school and pre-school, although development of the playing field for any other purpose would be resisted. The need for additional cemetery space is identified and land to the north of the existing burial ground is identified for the purpose. Policy C2 opposes any reduction in the availability of land or premises open to residents for sporting activities and offers support in principle for new facilities.

Policy C3: Public rights of way

53. Paragraph 3.91 explains that, while the existing network of footpaths is spread fairly evenly throughout the Parish, it is not well-connected: paths are often separated by roads that can be busy and dangerous. The Parish Council has been responsible for promoting improvements (notably the creation of the Pilsgate Path, which includes a cycle route and is now part of the National Cycle Network). There is an opportunity to exploit the route of the former Wansford to Stamford railway line, something which is included in the PLP. There are no bridleways in the Parish.
54. Policy C3 supports the principle of improving the footpath network, in particular the course of the former railway⁷, with wheelchair access wherever appropriate. Proposals which would obstruct a public right of way will not be supported; development proposals which would significantly detract from the landscape when viewed from a public right of way should incorporate ameliorative measures; and new access arrangements should not cause unacceptable increases in traffic movements or car parking.

Policy D1: Employment and local businesses

55. This policy aims to support the rural economy, both by way of employment opportunities and the provision of local services. Public transport appears reasonable compared with many rural areas (an hourly bus service to both Stamford and Peterborough, each of which have good railway connections), and there is easy access to principal roads. As a result, there is a high degree of commuting from Barnack for work purposes. Paragraph 3.108 points out that, while there is limited land on infill sites for new commercial undertakings, there are several old farm buildings where acceptable changes of use would be possible.
56. Policy D1 encourages new and improved enterprises, whether as new-build, change of use or through home-working, subject to reasonable conditions in relation to their impact. Paragraph 4 of the Policy supports, in principle, changes of use of the Station Road Business Park (and presumably any individual parts of it) to other uses within the new Use Class E – given that this is not something which the Plan could prevent, it is perhaps more relevant as background information to help users of the Plan understand the statutory context. In addition, the policy states that “any proposal for changing the use of the Station Road Business Park by developing the land for housing will not be supported”. However, this fails to take into account a different recent change to the legislation, namely a liberalisation of the Permitted Development regime which would allow (at least in theory) any of the units in the business park currently used as offices or storage and distribution to be converted to residential use (subject to certain conditions)⁸.
57. ***I recommend that paragraph 4 be re-phrased to read: “Subject to the provisions of the General Permitted Development Order, any proposal to change the use of the Station Road Business Park (or any part of it) to housing, or to redevelop the site for that purpose, will not be supported”. In addition, I recommend that the remainder of paragraph 4 be deleted and that the information it contains be included within the preamble to the policy, for information.***

⁷ paragraph 2 of the policy refers to the Barnack section of the Wansford to *Peterborough* line, but I take this to be Wansford to *Stamford*. This error has been confirmed by the Parish Council and should be corrected.

⁸ see The Town and Country Planning (General Permitted Development) (England) Order 2019, Sch2, part 3 Classes O and P

Implementation

58. Part 4 of the Plan briefly reiterates the fact that it has been prepared in order to align with the end-date of the Local Plan (2036), and that its policies aim to complement those in the PLP. Noting that the housing allocation for Barnack has now been fully met, and that any small-scale sustainable proposals which come forward will also be supported in principle, the Parish Council simply says that it will review the Plan "should it become necessary at any point". I note here that there is no statutory requirement to be more precise about undertaking a review of neighbourhood plans, and nor is it a subject of Government policy.

Parish projects

59. Before concluding with a list of acknowledgements, the final part of the BNP proper contains a summary of aspirations and projects which are not appropriate to deal with in the Development Plan, but are instead included in a Parish Action Plan, something which has been rolled forward periodically since 2014. These are properly separated from the Plan itself but help to give readers a fuller picture of what is being proposed.

Appendices

60. There are four helpful appendices to the Plan: a table cross-referencing its six main aims to the objectives set out as part of the consultation process; the detailed justification for the proposed protected green spaces; a list of the priority habitats and species⁹; and a precis of the content of each policy.

Conclusions on the basic conditions

61. I am satisfied that the Barnack Neighbourhood Plan makes appropriate provision for sustainable development, while establishing principles which are designed to accommodate new development in a way which ensures that it is successfully integrated into the existing physical, environmental and social context. I conclude that in this and in all other material respects, subject to my recommended modifications, it has appropriate regard to national policy. Similarly, and again subject to my recommended modifications, I conclude that the Plan is in general conformity with the strategic policies in the Development Plan for the local area. There is no evidence before me to suggest that the Plan is not compatible with EU obligations, including human rights requirements.

Formal recommendation

62. I have concluded that, provided that the recommendations set out above are followed, the Barnack Neighbourhood Plan would meet the basic conditions, and I therefore recommend that, as modified, it should proceed to a referendum. Finally, I am required to consider whether the referendum area should be extended beyond the neighbourhood plan area, but I have been given no reason to think this is necessary.

David Kaiserman

David Kaiserman BA DipTP MRTPI Independent Examiner

12 April 2021

⁹ the Parish Council have said that they wish to make two small amendments here, but this need not be a matter for a formal recommendation.

APPENDIX 1 – SUMMARY TABLE OF RECOMMENDATIONS

Examiner's report paragraph	NP reference	Recommendation
37	Policy A1	<ul style="list-style-type: none"> • Minor rewording to criterion 4
44	Policy A4	<ul style="list-style-type: none"> • Correct omission of reference to site G
45	Policy B1	<ul style="list-style-type: none"> • Additional wording to supporting paragraph 3.55
47	Policy B1	<ul style="list-style-type: none"> • Minor amendment to criterion 1g • Minor amendment to criterion 2 (x2)
49	Policy B2	<ul style="list-style-type: none"> • Delete paragraph 1 of the policy • Include reference to PLP Policy LP28 in preamble
51	Policy B2	<ul style="list-style-type: none"> • Rewording of paragraph 2
57	Policy D1	<ul style="list-style-type: none"> • Rewording of paragraph 4