

**North Kesteven District Council**



**North Kesteven**  
DISTRICT COUNCIL

**Leasingham and Roxholm Neighbourhood Plan Decision Statement**

I confirm that the Leasingham and Roxholm Neighbourhood Plan, as revised by the modifications set out in Appendix 1 below, complies with the legal requirements and Basic Conditions set out in the Localism Act 2011. The Plan can therefore proceed to referendum, which will be held on Thursday 9 November 2023.

As stated within the District Councils' Constitution, this decision has been made following consultation with the Lead Executive Board Member and Ward Members.

I also declare that I have no disclosable personal or disclosable prejudicial interest in respect of this decision.

Signed

A handwritten signature in black ink, appearing to read 'Ian Fytche', written in a cursive style.

Ian Fytche  
Chief Executive

## **1. Summary**

- 1.1. Following an independent examination North Kesteven District Council decided that the Leasingham and Roxholm Neighbourhood Plan required further modification in order to meet the basic conditions. Since this differed from the recommendation by the examiner the District Council carried out a six week consultation inviting representations.
- 1.2. The six week consultation has now finished. The District Council have reviewed the representations and it has been determined that the Plan may proceed to referendum without a further examination.

## **2. Background**

- 2.1 On 24 March 2017 North Kesteven District Council resolved to designate the whole of the Parish of Leasingham and Roxholm as a Neighbourhood Plan Area in accordance with the Section 61G of Town and Council Planning Act 1990 (as amended by the Localism Act 2011). The designation of a Neighbourhood Area being one of the statutory requirements needed to be in place to enable a Neighbourhood Plan to be adopted and formally become a part of the Development Plan and be used in the determination of planning applications by the District Council.
- 2.2 Following the submission of the Leasingham and Roxholm Neighbourhood Plan to the District Council, the plan was publicised, and representations were invited. The publicity period ended on 18 July 2022.
- 2.3 The District Council appointed an independent examiner, Mr David Kaiserman BA DipTP MRTPI to review whether the Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 and whether the Leasingham and Roxholm Neighbourhood Plan should proceed to referendum.
- 2.4 The examiner's report concluded that subject to a number of recommended modifications the Leasingham and Roxholm Neighbourhood Plan is able to comply with the 'basic conditions' and other relevant statutory provisions, and that the draft plan as modified can be submitted for a referendum. The examiner's report was made against the Central Lincolnshire Local Plan (CLLP) adopted in 2017, which was at the time subject to review.
- 2.5 The review of the CLLP was completed with the adoption of an updated plan on 13 April 2023. The newly adopted CLLP has modified the strategic policies against which the Leasingham and Roxholm Neighbourhood Plan (LRNP) has been prepared and examined.
- 2.6 Policy 1 in the examination version of the LRNP was no longer in general conformity with Policy S4 of the CLLP. The approach of policy S4 'Housing Development in or Adjacent to

Villages' differs markedly from the preceding provisions of the 2017 version of the local plan: the provisions for percentage growth limits based on the relative sustainability of a settlement have been removed as have the provisions for seeking community support, and with policy S4 now specifically restricting development of the edge of villages. In addition, the Plan includes references to outdated CLLP policies.

- 2.7 After considering the examiner's report, and the modifications the District Council decided that further minor amendments are required for the Plan to be in conformity with the strategic policies contained in the newly adopted development plan for the area.
- 2.8 Since this decision differs from that recommended by the examiner the District Council notified prescribed persons of their proposed decision (and the reason for it) and invited representations over a six week period.
- 2.9 The six week consultation concluded on 14 August 2023. The District Council has determined that the Plan does not need to be referred for examination and should proceed to referendum.

### 3.0 **Decision and Reasons**

- 3.1 To enhance the clarity of the plan, in line with the recommendations of the Independent Examiner, the group have made a number of minor modifications to the Leasingham and Roxholm Neighbourhood Plan. In addition, several additional changes have been made for the Plan to be in conformity with the strategic policies in the newly adopted development plan for the area. All changes have been consulted on and the District Council can confirm that there is no need for the Plan to undergo a second examination. Please see appendix 1 for a list of amendments.
- 3.2 The District Council concludes that with the minor modifications made the Plan meets the basic conditions and other relevant legal requirements. Therefore, to meet the requirements of the Localism Act 2011 a referendum which poses the question 'Do you want North Kesteven District Council to use the Neighbourhood Plan for Leasingham and Roxholm to help it decide planning applications in the neighbourhood area?' will be held in the Parish of Leasingham and Roxholm.
- 3.3 The date on which the referendum will take place is agreed as Thursday 9 November.

**Appendix 1 - Modifications made to the Leasingham and Roxholm Neighbourhood Plan  
(Examiner's and NKDC changes)**

<b>Modification No.</b>	<b>Requested by</b>	<b>NP reference</b>	<b>Examiner's recommended change</b>	<b>Council's Decision</b>	<b>Reasons for Council's decision</b>
1.	Examiner, report paragraph 27	General	<ul style="list-style-type: none"> <li>Number paragraphs to aid reference to the Plan's contents</li> </ul>	Modify as recommended.	To comply with the examiner's recommendations.
2.	Examiner, report paragraph 28	Page 8 (context)	<ul style="list-style-type: none"> <li>Amend the heading "Planning Regulations" to "Planning context"</li> <li>Delete the sub-headings "Context" and "Local Planning Policy Context"</li> <li>Remove the quotation marks for the first paragraph and start it with "The Government says that neighbourhood planning gives communities..." This is because the source of the quotation is unclear (and there may in fact be more than one)</li> <li>Delete the second paragraph and insert: "In order to do this, the plan must have regard to national policy and guidance, found principally in the National Planning Policy Framework (latest version 2021), and must contribute to the achievement of sustainable development."</li> <li>Delete the third paragraph and replace it with a new paragraph: "The plan must also be in general conformity with the strategic policies in the development plan"</li> </ul>	<p>Modify as recommended</p> <p>In the last bullet dates have been updated in line with the new CLLP. Modification No 23.</p>	<p>To comply with the examiner's recommendations.</p> <p>Dates in last bullet updated under Modification No. 23 so Plan is in conformity with new CLLP 2023</p>

			for the local area. At the present time, this is found primarily in the Central Lincolnshire Local Plan (2012-2036), adopted in 2017”.		
3.	Examiner, report paragraph 34	Introduction to the policies	<ul style="list-style-type: none"> <li>• Delete inset map no.31 (page 6) from the North Kesteven Adopted Local Plan</li> <li>• Amend the heading of part 5 to “Introduction to the policies”</li> </ul>	<p>Modify as recommended.</p> <p>Heading updated to 5. “New Development within the Parish” since it is the introduction to Policy 1.</p>	<p>To comply with the examiner’s recommendations.</p> <p>Heading changed to reflect Policy 1.</p>
4.	Examiner, report paragraph 35	Policy 1	<ul style="list-style-type: none"> <li>• Amend title of policy to “New development within the Parish”</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.
5.	Examiner, report paragraph 46	Policy 1	<ul style="list-style-type: none"> <li>• Replace the content of Policy 1 with “Small-scale development proposals (of up to nine dwellings) within the developed footprint of Leasingham village, or immediately adjacent to it, will be supported in principle. Planning applications will be determined having regard to the criteria set out in Local Plan Policies LP2 and LP4 (until such time as they are replaced by policies in the Local Plan Review) and to all other relevant policies in this Neighbourhood Plan.</li> </ul> <p>Roxholm is treated as countryside, and development proposals there will be</p>	Change not actioned, please see modification No. 30	Not in conformity with newly adopted CLLP 2023

			restricted, in the terms set out in Part 8 of Local Plan Policy LP2.”		
6.	Examiner, report paragraph 47	Supporting material to Policy 1	<ul style="list-style-type: none"> <li>• Make substantial modifications to the supporting material as suggested</li> </ul>	Please see modification No’s 28 and 29.	To comply with the examiner’s recommendations and be in conformity with new CLLP 2023
7.	Examiner, report paragraph 49	Land Use Categories Map	<ul style="list-style-type: none"> <li>• Delete the map on page 24 unless its purpose can be made clear</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.
8.	Examiner, report paragraph 50	Policy 2	<ul style="list-style-type: none"> <li>• Delete Policy 2: Maintaining Separation</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.
9.	Examiner, report paragraph 52	Policy 3	<ul style="list-style-type: none"> <li>• Amend the first sentence of the policy to “All proposals for new housing development must, as appropriate to its scale and location, deliver ...”.</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.
10.	Examiner, report paragraph 53	Policy 3	<ul style="list-style-type: none"> <li>• Delete part 2 of the policy</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.
11.	Examiner, report paragraph 54	Policy 3	<ul style="list-style-type: none"> <li>• Add an additional part to the policy regarding the mix of homes. “Where appropriate having regard to the scale and location of any new housing proposals, contribution should be made towards improving the mix of homes within the Parish”.</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.
12.	Examiner, report paragraph 56	Policy 4	<ul style="list-style-type: none"> <li>• Delete policy 4: Heritage Protection (but see also recommendation at para 70)</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.

13.	Examiner, report paragraph 57	Policy 5	<ul style="list-style-type: none"> <li>• Delete policy 5: The Green Environment (but see also recommendation at para 70)</li> </ul>	Modify as recommended.	To comply with the examiner's recommendations.
14.	Examiner, report paragraph 61	Policies 6 and 8	<ul style="list-style-type: none"> <li>• Delete policy 6 Access to Countryside and Policy 8 Pedestrian access, public rights of way and bridleways within Leasingham and replace with a single policy titled "Pedestrian access, public rights of way and bridleways", reading as follows: "In order to maintain and enhance access to the countryside and within the Parish generally <ul style="list-style-type: none"> <li>• development proposals that would either obstruct or result in a significantly negative impact upon the enjoyment of footpaths, public rights of way or bridleways will not be supported</li> <li>• development proposals that will enhance or extend an existing public right of way or that will deliver a new one in a suitable location will be supported in principle</li> <li>• proposed development within or immediately adjacent to the developed footprint of the village will be required to incorporate adequate and safe pedestrian links from every property within the site to the existing footpath network</li> <li>• development proposals that</li> </ul> </li> </ul>	Modify as recommended.	To comply with the examiner's recommendations.

			<p>would enhance connectivity through the village will be considered favourably in principle. Where a development site presents an opportunity to join up two or more rights of way, the proposal should deliver such a connection and clearly demonstrate this on site plans</p> <ul style="list-style-type: none"> <li>• new development that would be visible from a public right of way should, where necessary, incorporate green landscaping to reduce any visual impact.”</li> </ul>		
15.	Examiner, report paragraph 65	Policy 7	<ul style="list-style-type: none"> <li>• Include within the supporting material an explanation of the background to the proposed designations</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.
16.	Examiner, report paragraph 67	Policy 7	<ul style="list-style-type: none"> <li>• Amend the policy to quote NPPF para 103 verbatim</li> <li>• Include further explanation in the supporting material as suggested</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.
17.	Examiner, report paragraph 70	Policy 9	<ul style="list-style-type: none"> <li>• Reword policy 9: Community Assets to: <ol style="list-style-type: none"> <li>1. Proposals to develop, improve or expand facilities to support the social, cultural, economic and physical well-being of the local community (including the provision of leisure facilities for children and young people) will be encouraged and supported provided they are consistent with other policies in this Neighbourhood Plan and the</li> </ol> </li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.



			<p>Local Plan.</p> <p>2. Proposals that would result in the loss of or change of use of community facilities will be permitted where at least one of the following conditions is met:</p> <ul style="list-style-type: none"> <li>• a replacement facility is provided in a suitable location; or</li> <li>• it can be satisfactorily demonstrated that the facility is no longer fit for purpose or economically viable for a new or another community use; or</li> <li>• the alternative use would have significant community benefits for the local community.</li> </ul>		
18.	Examiner, report paragraph 71	Policy 9	<ul style="list-style-type: none"> <li>• Include explanatory text in the supporting material along the lines suggested “It should be noted that some loss of community assets as a result of changes of use cannot be prevented, since they do not require planning permission. This is due to the provisions of the Use Classes Order and the General Permitted Development Order, details of which may be found on the relevant Government websites”.</li> </ul>	Modify as recommended.	To comply with the examiner’s recommendations.

19.	Examiner, report paragraph 73	Additional Policy	<ul style="list-style-type: none"> <li>• Add a new policy titled Development Management Criteria. to cover a range of development management criteria, mainly carried forward from policies recommended for deletion or amendment.</li> </ul> <p>“In addition to the requirements specific to housing schemes set out in Policy 3, all development proposals must have regard to the following criteria, as appropriate to their scale and location:</p> <ol style="list-style-type: none"> <li>1. the need to avoid an unacceptable impact on the setting, character and appearance of the Parish within the wider landscape</li> <li>2. the effect on any heritage asset, taking into account the provisions of Local Plan Policy LP25 (The Historic Environment)</li> <li>3. the amenity that current and future occupiers of adjacent or nearby premises may reasonably expect to enjoy</li> <li>4. the capacity of existing infrastructure to accommodate the proposal</li> <li>5. the need for adequate car parking and servicing arrangements</li> <li>6. the need to protect and, where</li> </ol>	Modify as recommended. policy Nos. under number 6.have been updated in line with the CLLP 2023, please see modification No 33.	To comply with the examiner’s recommendations and be in conformity with new CLLP 2023
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			possible enhance, existing landscape features, green networks and the biodiversity of the Parish, taking into account Local Plan Policies LP20 (Green Infrastructure Network) and LP21 (Biodiversity and Geodiversity), which includes the approach that will be taken towards any necessary mitigation measures.		
20.	NKDC	Front page	<ul style="list-style-type: none"> <li>Amend LRNP end date to 2040 in line with CLLP.</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
21.	NKDC	Foreword	<ul style="list-style-type: none"> <li>Update end date in the third paragraph to 2040 in line with CLLP.</li> <li>Change from Partnership NK to NKDC Partnerships Team.</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
22.	NKDC	Neighbourhood Plan for Leasingham and Roxholm, paragraph 4	<ul style="list-style-type: none"> <li>Change date in first paragraph so it reads 'It would set out in line with the CLLP how they would like to see the village developed up to 2040.'</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
23.	NKDC	Planning Context, paragraph 9	<ul style="list-style-type: none"> <li>Change Central Lincolnshire Local Plan dates to (2018-2040), adopted in April 2023.</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
24.	NKDC	Planning Context, paragraph 10	<ul style="list-style-type: none"> <li>change CLLP date at end of sentence to 2018-2040.</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
25.	NKDC	Planning Context, paragraph 11	<ul style="list-style-type: none"> <li>Change Policy LP2 to S1: The Spatial Strategy and Settlement Hierarchy</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023

26.	NKDC	Planning Context, paragraph 13	<ul style="list-style-type: none"> <li>• Delete current wording and replace with 'The CLLP Policy S1 identifies Leasingham as a medium village, which sets out that in the case of well connected or well served medium villages allocations for new residential development may be made. Policy S81 allocates two sites on land adjacent to the village at Meadow Lane (NK/LEA/001) and Land North of Moor Lane (NK/LEA/006). All other residential development will be subject principally to policy S4 of the CLLP and Policy 1 of this Neighbourhood Plan, as well as other relevant policies of the local plan and this plan.'</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
27.	NKDC	Planning Context, paragraph 14	<ul style="list-style-type: none"> <li>• Delete current wording and replace with 'Policy S1 of the CLLP sets out the restrictions on development in the countryside with further guidance provided by Policy S5 of the local plan.'</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
28.	NKDC	New Development within the Parish, paragraph 56, last sentence.	<ul style="list-style-type: none"> <li>• Replace with "Taking into consideration of the size of the areas available and the size of the community, preferred sites should be development up to 10 homes, unless other material considerations indicate otherwise, and be located within the developed footprint of the settlement."</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023

29.	NKDC	New Development within the Parish, paragraph that follows.	<ul style="list-style-type: none"> <li>• Delete “Under the provisions of the Central Lincolnshire Local Plan, Leasingham has a growth level of 108 dwellings between 2012 and 2036, which equates to 4-5 homes per year. The latest monitoring by North Kesteven District Council indicates that 14 homes have already been built and a further 21 homes have planning permission. It should be noted that this figure is not a target for the village and that any homes being built will need to satisfy other policies in the development plan.eg However, legally, this neighbourhood plan cannot restrict the potential for this growth level to be reached.”</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
30.	NKDC	Policy 1: New Development within the Parish	<ul style="list-style-type: none"> <li>• Amend policy to read “Small-scale development proposals (of up to ten dwellings, unless material planning considerations indicate otherwise) within the developed footprint of Leasingham village will be supported in principle. Planning applications will be determined having regard to the policies of the Central Lincolnshire Local Plan 2023 and to all other relevant policies in this Neighbourhood Plan.</li> </ul> <p>Roxholm is treated as countryside, and development proposals there will be restricted,</p>	Modify as recommended.	To be in conformity with new CLLP 2023

			in the terms set out in Part 8 of Central Lincolnshire Local Plan policy S1.”		
31.	NKDC	Traffic and Transport, mobility, paragraph 94	<ul style="list-style-type: none"> <li>• Update to CLLP (S23)</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
32.	NKDC	The Green Environment, paragraph 95	<ul style="list-style-type: none"> <li>• (5.5.1 CLLP 2017) changed to (11.0.1 CLLP 2023).</li> <li>• Last sentence update to: This is in line with the policies outlined in the CLLP adopted in April 2023.</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
33.	NKDC	Policy 6: Development Management Criteria	<ul style="list-style-type: none"> <li>• 2nd bullet update LP25 to S57 (The Historical Environment)</li> <li>• 6<sup>th</sup> bullet update to: (S59 Green and Blue Infrastructure Network) and S60 (Protecting Biodiversity and Geodiversity)</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023
34.	NKDC	Review of Neighbourhood Plan, paragraph 99	<ul style="list-style-type: none"> <li>• Update date to 2040.</li> </ul>	Modify as recommended.	To be in conformity with new CLLP 2023